CHILDREN AND GUNS

HEARING

BEFORE THE

SELECT COMMITTEE ON CHILDREN, YOUTH, AND FAMILIES
HOUSE OF REPRESENTATIVES

ONE HUNDRED FIRST CONGRESS

FIRST SESSION

HEARING HELD IN WASHINGTON, DC, JUNE 15, 1989

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CHILDREN AND GUNS

THURSDAY, JUNE 15, 1989

House of Representatives,
Select Committee on Children, Youth, and Families,
Washington, DC.

The select committee met, pursuant to call, at 9:45 a.m., in room 2261, Rayburn House Office Building, Hon. George Miller (chairman of the select committee) presiding.

Members present: Representatives Miller, Boxer, Sikorski, Evans, Durbin, Sarpalius, Bliley, Packard, Hastert, Holloway, Lamar Smith of Texas, Peter Smith of Vermont and Machtley.

Staff present: Ann Rosewater, staff director, Tim Gilligan, research assistant; Dennis G. Smith, minority staff director; Carol M. Statuto, minority deputy staff director; Scott Bailey, research assistant; and Joan Godley, committee clerk.

Chairman **Miller**. The Select Committee on Children, Youth, and Families will come to order for the purposes of conducting a hearing on the topic of children and guns.

Last month, the Select Committee on Children, Youth, and Families examined the issues of violence by and against young Americans. Three key points emerged. Children are engaging in violence at younger ages; the acts of violence in which children and teenagers are involved are more serious; and many children are growing up in intensely violent environments.

Seemingly trivial confrontations over a pair of shoes or over who is in line at the barbershop now appear to be provoking serious injury and even death. What also has become clear is that we cannot fully understand this violence among youth without talking about guns.

The fact is that guns have a starring role in the television shows, videos and movies which have become daily fare for children. Both the media and cultural heroes glorify firearms as an easy way to resolve conflicts and no one appears to get hurt.

At the same time, toy manufacturers promote and capitalize on children's fascination with guns by making toy replicas of everything from AK-47s to Saturday Night Specials. Youth counselors in the District of Columbia report that young people they are trying to help are now mimicking drive-by shootings with Uzi water pistols.

The easy availability of guns to children and youth has become a critical problem of public health and safety. Teenagers in urban areas not only know where, but how to get guns. Increasingly, teenagers are carrying guns to school, often for protection. More teens are falling victim to them.

Between 1984 and 1986, the number of 15- to 24-year-olds killed by firearms increased more than 16 percent. Between 1970 and 1980, the firearm suicide rate among 15- to 19-year-olds increased so sharply that now more youths kill themselves each year with guns than killed themselves by all means combined in 1970.

What has been particularly disturbing is the transformation of some urban neighborhoods into war zones for the drug trade. Automatic and semiautomatic assault rifles, while responsible for a small percentage of firearm violence, have proven particularly effective in terrorizing communities and taking human life.

There are areas in Los Angeles, Chicago, Washington, Detroit, New York City and Miami and all too many other communities where children are coming of age in the midst of frequent gun fights. Even those uninvolved in these battles learn to fear stray bullets and random attacks.

Pediatricians and psychologists working in inner cities report that they are seeing children with the same symptoms of trauma and anxiety as children refugees from El Salvador and other war-torn nations.

While firearm violence is greatest in the urban communities, however, it is by no means exclusive to them. Public health officials have reported an increased concern from rural and suburban areas about gun violence involving children and youth. As last year's shooting in Stockton made clear, no community is safe when high-powered assault rifles are available for the asking.

In addition to intentional shootings, we are also losing hundreds of children and youth to firearm accidents every year. Most accidental firearm deaths involving children occur in the child's home with a gun stored there by a parent. While fewer in number than firearm homicides and suicides, these are entirely unnecessary and preventable deaths.

The recent surge in firearm violence is not only tragic for the loss of young lives, but is dangerously straining already overburdened emergency rooms and trauma units. Among trauma cases, gunshot wound patients are particularly expensive to treat and they are more likely to have little or no medical insurance.

Since 1980, 12 California hospitals have dropped out of county trauma networks, and, according to the state hospital association, firearm injuries contribute significantly to the financial difficulties facing trauma units and emergency rooms.

Whatever position one takes on gun control issues, it is impossible to deny that guns are a leading cause of injury and death to youth in America and that this problem demands more careful attention.

Our witnesses today include law enforcement officials, experts in public health, criminologists, educators, and the children themselves. They come from many regions of the country and from institutions, such as hospitals and schools, that are experiencing particular problems with firearm violence among children and youth.

It is our hope that they will help the Congress understand the scope of the threats posed to young people by guns, as well as the strains on essential public and community services.

We welcome them to the committee and look forward to their ability to assist the Congress and the public to understand this troubling national problem.

Opening Statement of Hon. George Miller, a Representative in Congress From the State of California, and Chairman, Select Committee, on Children, Youth, and Families

CHILDREN AND GUNS

Last month, the Select Committee on Children, Youth, and Families examined the issue of violence by and against young Americans. Three key points emerged: children are engaging in violence at younger ages, the acts of violence in which children and teenagers are involved are more serious, and many children are growing up in intensely violent environments. Seemingly trivial confrontations—over a pair of shoes or over who is in line at a barber shop—now appear to be provoking serious injuries and even deaths. What has also become clear is that we cannot fully understand this violence among youth without talking about guns.

The fact is that guns have the starring roles in the television shows, videos and movies which have become daily fare for children. Both the media and cultural heros glorify firearms as an easy way to resolve conflicts—and no one appears to get hurt. At the same time, toy manufacturers promote and capitalize on children's fascination with guns by making toy replicas of everything from AK-47's to Saturday Night Specials. Youth counselors in the District of Columbia report that the young people they are trying to help are now mimicking drive-by shootings with Uzi water pistols.

The easy availability of firearms to children and youth has become a critical problem of public health and safety. Teenagers in urban areas not only know where but also how to get guns. Increasingly, teens are carrying guns to school—often for protection—and more teens are falling victim to them. Between 1984 and 1986, the number of 15–24 year olds killed by firearms increased more than 16 percent. Between 1970 and 1980, the firearm suicide rate among 15–19 year olds increased so sharply that now more youths kill themselves each year with guns than killed themselves by all means combined in 1970.

What has been particularly disturbing is the transformation of some urban neighborhoods into war zones for the drug trade. Automatic and semiautomatic assault rifles, while responsible for a small percentage of firearm violence, have proven particularly effective at terrorizing communities and taking human life. There are areas of Los Angeles, Chicago, Washington, Detroit, New York City, Miami, and all too many other communities where children are coming of age in the midst of frequent gunfights. Even those uninvolved in these battles learn to fear stray bullets and random attacks. Pediatricians and psychologists working in inner cities report that they are seeing children with the same symptoms of trauma and anxiety as child refugees from El Salvador and other war-torn nations.

While firearm violence is greatest in urban communities, however, it is by no means exclusive to them. Public health officials have reported an increased concern from rural and suburban areas about gun violence involving children and youths. As last year's shooting in Stockton made clear, no community is safe when high power assault rifles are available for the asking.

In addition to intentional shootings, we are also losing hundreds of children and youth to firearm accidents every year. Most accidental firearm deaths involving children occur in the child's home with a gun stored by a parent. While fewer in number than firearm homicides and suicides, these are entirely unnecessary and preventable deaths.

The recent surge in firearm violence is not only tragic for the loss of young lives, but is dangerously straining already burdened emergency rooms and trauma units. Among trauma cases, gunshot wound patients are particularly expensive to treat and they are more likely to have little or no medical insurance. Since 1980, 12 California hospitals have dropped out of county trauma networks, and according to the state hospital association, firearm injuries contribute significantly to the financial difficulties facing trauma units and emergency rooms.

Whatever position one takes on gun control issues, it is impossible to deny that guns are a leading cause of injury and death to youths in America, and that this problem demands more careful attention.

Our witnesses today include law enforcement officials, experts in public health, criminologists, educators, and children themselves. They come from regions of the country and from institutions—such as hospitals and schools—that are experiencing particular problems in firearm violence among children and youth. It is our hope that they will help the Congress understand the scope of the threats posed to young people by guns as well as the strains on essential public and community services. We welcome them to the Committee and look forward to their ability to assist the Congress and the public understand this troubling national problem.

CHILDREN AND GUNS

A FACT SHEET

INCREASING NUMBERS OF YOUTHS KILLED BY FIREARMS

** After a significant decline in the early 1980s, the number of 15-24 year olds killed by firearms in the U.S. increased more than 16%, from 6,765 to 7,852, between 1984 and 1986. Among black males in this age range, firearm fatalities increased more than 20% over these 2 years. (National Center for Health Statistics [NCHS], 1988)

** Between 1980 and 1986, the number of children under the age of 15 killed by firearms declined 2.3% from 672 to 656. (NCHS, 1988)

GUNS IN THE HOME MORE LIKELY TO KILL RESIDENTS THAN INTRUDERS

** A 5-year study of deaths involving firearms kept in the home found that, for every case of self-protection homicide, there were 1.3 accidental deaths, 4.6 criminal homicides, and 37 suicides. Handguns were used in 70.5% of the deaths. (Kellerman and Reay, 1986)

** Firearm accidents claimed the lives of 472 children in 1986. More than half the victims were in the 15-19 year age range. A study of accidental shootings of children in California found that, in a sizeable majority of cases, the victims were shot in their homes by guns stored there. (NCHS, 1988)

GUNS, MOSTLY HANDGUNS, USED IN MAJORITY OF YOUTH HOMICIDES

** In 1987, 53% of the 2,398 homicide victims under the age of 20 were killed by firearms. Among 15-19 year old victims, nearly 70% were killed by firearms. (Unified Crime Reports [UCR], Federal Bureau of Investigation, 1988)

** About three-quarters of murders committed with firearms are committed with handguns. In 1987, 983 homicide victims aged 19 and under were killed with handguns, compared to 277 killed with other or nonspecified firearms. (UCR, 1988)

** In California, firearm deaths for youths under 19 climbed steadily from 389 in 1978 to 457 in 1987. In 1987, 71 children under age 14 died from guns, a record 46 of them homicide victims. (California Department of Health Services, 1989)

GUNS USED IN MOST YOUTH SUICIDES

** Firearms are now used in most suicides of 10-14 and 15-24 year olds. Between 1980 and 1986, the number of suicides by 10-14 year olds more than doubled from 139 to 250. (NCHS, 1988)

** Between 1970 and 1980, the suicide rate among 15-19 year olds increased by 44%. The increase was fueled almost entirely by firearm suicides, which rose from 48% to 63% of total youth suicides. In 1986, 1,896 youths in this age range took their lives, 1,151 with guns, representing a further 20% increase in the suicide rate. Over this period, the proportion of suicides due to guns declined slightly to about 61%. (Centers for Disease Control [CDC], 1986; NCHS, 1988)

** The suicide rate among teenage boys is more than three times higher than the rate among girls, in part because boys choose more lethal means to attempt suicide. In 1986, more than six times as many boys as girls killed themselves with firearms. (NCHS, 1988)

MORE YOUTHS BRINGING GUNS TO SCHOOL

** A federally-funded 20-state survey of 11,000 adolescents found that 41% of boys and 21% of girls said they could obtain a handgun if they wanted to. 3% of boys said they had carried a handgun to school once in 1987, and 1% -- potentially 135,000 nationwide -- said they carried one to school daily. (National Adolescent Student Health Survey, American School Health Association, 1988; Education Week, 1988)

** Florida reported a 42% increase in gun incidents in schools between the 1986-1987 and 1987-1988 school years. 86% of the guns that were traced came from the students' homes. (Florida School Boards Association and Florida Association of School Administrators, 1989)

** California schools reported a 43% increase in student gun confiscations in middle schools and 50% increase in high schools over the past three years. (California Department of Education, 1989)

GUNSHOT INJURIES INCREASING AMONG CHILDREN, BURDENING HEALTH CARE SYSTEM

** In fiscal year 1988, 2.0% of pediatric inpatients admitted for injuries were gunshot victims, a 70% increase from the 1.3% rate in FY86. 40% of these injuries occurred at home. (Pediatric Trauma Registry [PTR], National Institute for Disability and Rehabilitation Research, 1989)

** Gunshot wounds were the most frequent injuries among 10-18 year old trauma victims reporting to D.C. General Hospital in 1988. These wounds accounted for more than 43% of the trauma cases (37 of 85 cases) in this age range. Overall gunshot-wound trauma cases at the hospital increased by 228% to 551 cases between 1986 and 1988. (unpublished data, Trauma Center, D.C. General Hospital, 1989)

** Firearm injuries cost an estimated $429 million a year in hospital expenses alone and 85.6% of that is borne by taxpayers. Total annual medical costs for firearm injuries, including physicans' fees, ambulence service, rehabilitation and follow-up care is estimated to exceed $1 billion. The percentage of costs paid for by public sources is substantially greater for firearm injuries than for all hospitalizations considered together. (Martin, et al, in the *Journal of the American Medical Association*, 1988)

** Gunshot victims at the Washington Hospital Center stay for an average of 11 days, with a hospital bill of about $2,225 per day. At San Francisco General Hospital, the average length of stay is six days for an average cost of $6,915, excluding doctors' fees. (*Washington Post*, 1989; Martin, et al, 1988)

FIREARMS MORE DEADLY THAN OTHER WEAPONS IN ASSAULTS AND SUICIDES

** Attacks with a gun lead to death approximately two to six times more often than attacks with knives. (Wright, Rossie, and Daly, 1983)

June, 1989

I would now like to recognize the ranking Republican on the select committee, Congressman Bliley, of Virginia.

Mr. **Bliley**. Thank you, Mr. Chairman.

I ask unanimous consent to revise and extend my remarks.

Chairman **Miller**. Without objection.

Mr. **Bliley**. In recent weeks, Americans have been confronted with some atrocious crimes perpetrated by youth. What we as a select committee must do is sort out the complex issues that arise when we ask "why."

The drama of death and dying is brought into our living rooms by television on a daily basis. At the raw emotional level, it does not matter if a death was caused by passion or hatred, criminal intent or careless disregard. Over time, as the immediate pain of grief begins to pass, a stunned community searches to redress its loss. We demand explanations, justice and often retribution.

But it would be a mistake to allow ourselves to become trapped by our despair, for if we do, we may not take the necessary steps to avoid the next possible tragedy. The tragedy should not deter us from careful consideration of all the facts before us and move us to raise some important questions.

Some of these questions are: What elements in our society make it likely for a child to grow up violent? What is the family profile of these violent children? I believe that our last hearing provided some insights into the role of the family and the role of the media in stimulating violent behavior. We learned that without strong families, the likelihood that a child will be prone to violence is increased.

This hearing today is based on the premise that since we, as a society, cannot do anything to stop the factors that cause teen violence, then we ought to try to, at the very least, take away from kids the instruments they illegally seize to act out their violence, namely guns. I believe this premise is faulty and I believe that the testimony of two of our witnesses called today points this out.

To really get a handle on what is happening with this issue of children and guns, several distinctions ought to be kept in mind as we listen to testimony.

The first involves the difference between criminal activities and intentional injuries, and unintentional injuries such as accidents. To the extent that the data presented today fails to make this distinction, it fails to inform policy.

The second distinction is the age of the child. It should be clear, are we talking about a young child under 14 or a youth between the age of 15 and 19? Data that simply talks about children under 20 blurs important facts that must be taken into consideration here.

Finally, regional differences ought to be made clear. Are we talking about some isolated but chilling cases of inner city children caught in gun battles or are we talking about firearm use by rural children where guns are more likely to be kept in the home?

If we do not know the circumstances that tie the children and guns together, then we do not know much about where we go from here. If, indeed, we have lost a generation of youth, as some may believe, given the daily doses of youth violence we are witnessing here in Washington, it is because we adults have taken away their moral compass. We cannot look simply at children and guns hoping in vain for an easy solution. Although it may be fashionable, it is not factual. We cannot separate the effect from the cause. The antecedents to children and guns resulting in death are criminal activity, family dissolution and negligence.

The cause of a wound or the motivation behind it matters little to the emergency room physician trying to stitch a life back together or to a grieving mother at the grave site.

But if the emotion overwhelms us, we will miss the opportunities to intervene before tragedy strikes again. The solutions include strong families, law enforcement and firearm safety education.

Thank you, Mr. Chairman.

[Opening statement of Hon. Thomas J. Bliley, Jr., follows:]

Opening Statement of Hon. Thomas J. Bliley, Jr., a Representative in Congress From the State of Virginia and Ranking Republican Member

In recent weeks Americans have been confronted with some atrocious crimes perpetrated by youths. What we as a Select Committee must do is sort out the complex issues that arise when we ask "why."

The drama of death and dying is brought into our living rooms by television on a daily basis. At the raw emotional level, it does not matter if the death was caused by passion or hatred, criminal intent of careless disregard. Over time, as the immediate pain of grief begins a pass, a stunned community searches to redress its loss. We demand explanations, justice and often retribution.

But it would be a mistake to allow ourselves to become trapped by our despair, for if we do, we may not take the necessary steps to avoid the next possible tragedy. The tragedy should not deter us from careful consideration of all of the facts before us, and move us to raise some important questions. Some of these questions are: What elements in our society make it likely for a child to grow up violent? What is the family profile of these violent children? I believe that our last hearing provided some insights into the role of family and the role of media in stimulating violent behavior. We learned that without stong families the likelihood that a child will be prone to violence is increased.

This hearing today is based on the premise that since we as a society cannot do anything to stop the factors that cause teen violence, then we ought to try at the very least to take away from kids the instruments they illegally seize to act out their violence, namely guns. I believe this premise is faulty and I believe that the testimony of two of our witnesses called today points this out.

Dr. Kleck's testimony puts the media stories about teen violence in perspective. His testimony shows that "the fraction of the U.S. homicide arrests accounted for by persons under the age 20 has been fairly stable since 1974." And that while the youth homicide rate has already increased since a low point in 1984—it is still below the 1974 rate. Among homicides with victims under age 20, the percent involving guns declined from 1974 to 1983 and then increased from 1984 through 1987, returning to roughly the same level as in 1974. The involvement of guns in youth suicide has been decreasing since 1979, except for a slight upturn from 1984 to 1985. Fatal gun accidents involving youths have been declining for twenty years. The public and congressional perception of a dramatic jump in youth homicide rates is simply not borne out by a closer look at the data.

The testimony of the educators from Virginia points out the long tradition of shooting sports in this country, and makes the point that it is not access to guns by children that is the problem per se. It is the misuse of guns and the lack of respect for human life that is what we should be talking about today. Education is key to preventing unintentional fatalities due to firearms. Hunting accidents have declined by greater than 50% since states established education programs for hunters in the early 1970's.

To really grasp this issue of children and guns, several distinctions ought to be kept in mind as we listen to testimony. The first one involves the difference between criminal activities and international injuries, and unintentional injuries such as accidents. To the extent that the data presented today fails to make this distinction it fails to inform policy. The second distinction is the age of the child—it should be clear, are we talking about a young child under 14 or a youth between the age of 15–19? Data that simply talks about children under 20 blurs important facts that must be taken into consideration here. Finally, regional differences ought to be made clear—are we talking about some isolated but chilling cases of inner city children caught in gun battles, or are we talking about firearm use by rural children where guns are more likely kept in a home? If we do not know the circumstances that tie children and guns together then we do not know about where we go from here.

A closer look at some statistics on children and guns is revealing.

According to a national study by John Hopkins School of Public Health, unintentional firearm shootings rank 6th among the top ten causes of injury and deaths for children 0–14, preceded by vehicle related accidents, drowning, house fires, homicides, suffocation.

The rate for fatal firearm related fatalities is 6 per 100,000 for youths under 19.

Thirty-nine percent of all firearm fatalities among children ages 19 and under are suicides.

In 1987, 1270 children and youths ages 19 and under were killed with fireams—the estimated rate is 1.65 per 100,000 of the under 19 population; 84 percent of these youths are in the older teen category 15–19.

If indeed we have lost a generation of youth, as some may believe given the daily doses of youth violence we are witnessing here in Washington, it is because we adults have taken away their moral compass. We cannot look simply at children and guns, hoping in vain for an easy solution. Although it may be fashionable, it is not factual. We cannot separate the effect from the cause. The antecedents to children and guns resulting in death are criminal activity, family dissolution, and negligence.

Assault accounts for 45 percent of all firearm fatalities for children ages 19 and under. Of all juveniles incarcerated for a violent crime, 41 percent used a weapon. A gun was used in just 20 percent of these crimes. Clearly, if we focus only on guns, we will miss the reality of the violence. Juveniles used a gun in 57 percent of homicides and 24 percent of robberies.

Suicide accounts for 39 percent of firearm fatalities for those under 20. The death rates for suicide among our young people have more than doubled since 1960. But the true story of suicide is traced to the fantasy world of drugs, family life without sacramental commitment, indifference in the home, and lack of adult direction and support. The temptation to blame guns is strong but again, misleading.

Injuries and accidents account for the remaining 16 percent of firearm fatalities. We know that the deaths of those less than 15 years of age are more likely to be accidents. The hope which can be offered is that safety education has reduced injuries and fatalities. We *can* prevent accidents.

The cause of a wound or the motivation behind it matters little to the emergency room physician trying to stitch a life back together or to the grieving mother at the grave-site. But if the emotion overwhelms us, we will miss the opportunities to intervene before tragedy strikes again. The solutions include strong families, law enforcment, and firearm safety education.

ONE HUNDRED FIRST CONGRESS

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CHILDREN AND GUNS
Minority Fact Sheet

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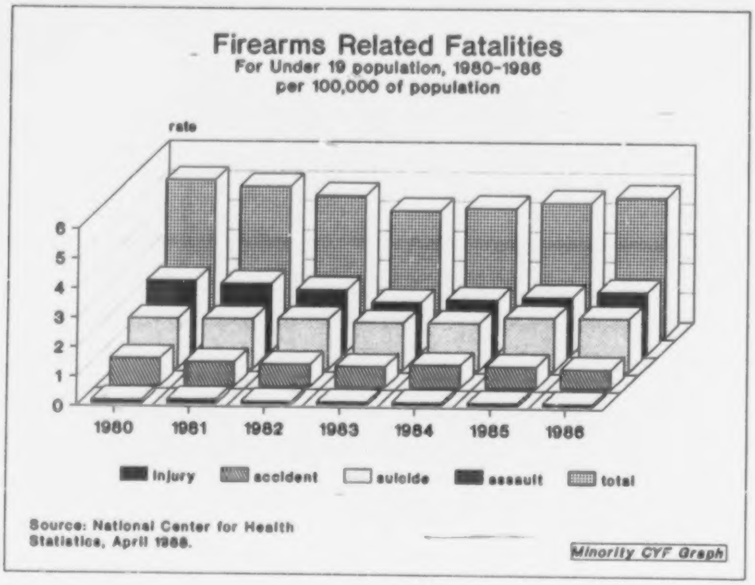
Prepared by Scott Bailey



Firearms Related Fatalities
For Under 19 population, 1980-1986
per 100,000 of population

Source: National Center for Health Statistics, April 1988.

General

- As the graph above indicates, most firearm related fatalities are the result of assault; the second most frequent are suicides; the third are accidents; and last are injuries.* During the 1980's, the rates for total firearm fatalities gradually declined until 1983; and since then there has been a gradual increase, although rates have not increased to the 1980 level. From 1984-1986, assaults and suicides increased, accidents decreased, and injuries remained roughly the same. The rate for total firearm related fatalities is 6 per 100,000 which would be the equivalent of .006% for the under 19 age group. [National Center for Health Statistics, unpublished worksheets, 1988]

- The younger a child is, the less likely he is to die as a result of firearm injury. Hun related deaths are virtually non-existent for children 9 and under. Of all teenagers, older teens 15-19 -- as compared to younger teen 10-14 -- are at higher risk. [ibid.]

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* If it cannot be determined whether a fatality was intentional or not, it is listed as an "injury."

Suicide

- Thirty-nine percent of all firearm fatalities among children ages 19 and under are suicides. The overwhelming majority of suicides are white and male. During the 1980's, of all youth who committed suicide using a gun, 91% were white and 76% were male. [National Center for Health Statistics, unpublished worksheets, 1988]
- Since 1970, the firearm suicide rate has climbed three times faster than the suicide rate for all other methods for 15-19 year olds. ["Firearms and Youth Suicide," *American Journal of Public Health*, October 1986]
- The percentage of youths using firearms to commit suicide has remained at roughly 60% since 1974. In 1979, it was 59%; it rose to a high of 63% in 1970; and in 1985, the last year for which complete information is available, it was 59%. [National Center for Health Statistics, unpublished worksheets, 1988]

Assault

- In 1987, 1270 children and youth ages 19 and under were killed with firearms -- the estimated rate is 1.65 per 100,000 of the under 19 population. [*Uniform Crime Reports*, FBI, 1987]
- The rate at which youths are the victims of gun related homicide has fluctuated since 1974. It reached a high of 2.01 per 100,000 in 1974; it reached a low of 1.27 in 1984; and between 1984 and 1987, it has increased to 1.65, an increase of 30% over that time period. [*Uniform Crime Reports*, FBI, 1975-1988]
- Most gun-related assaults for youths 19 and under are perpetrated against males. In 1986, of the 1395 gun-related assault deaths, 81% were males. [National Center for Health Statistics, unpublished worksheets, 1988]
- The rate at which black males are the victims of gun-related assaults is more than 8 times that of white males. The rate for white males is .5 per 100,000 and the rate for black males is 4.3 for their respective populations. [Ibid.]

Unintentional Firearm Fatalities

- The number of fatal gun accidents (FGA) involving young victims has declined by more than 50%. In 1974, there were 1008 FGA's involving victims ages 0-19; in 1987, the figure had declined to 481. [US National Center for Health Statistics, and National Safety Council, June 9, 1989]

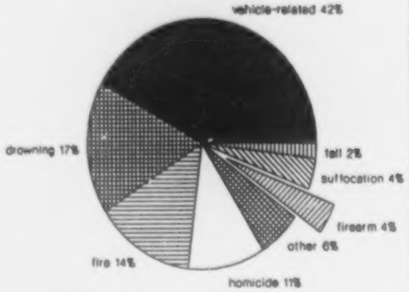
- The rate of unintentional deaths as a result of firearms for children 0-14 is .6 per 100,000. [Anne Waller, "Childhood Injury Deaths," American Journal of Public Health, March 1989.]

- For children 0-14, the number of unintentional firearms deaths declined by 13% from 1980 to 1985. [Anne Waller, "Childhood Injury Deaths," American Journal of Public Health, March 1989.]

- For youths 14 and under, the vast majority of firearm related fatalities are accidental. For the 1980 through 1986, 66% of firearm fatalities were accidents; 19% were suicides; 14% were assault; and 1% were injuries. [National Center for Health Statistics, unpublished worksheets, 1988]

- According to a national study by Johns Hopkins School of Public Health, unintentional firearm shootings are the 6th largest cause of injury death among children 0-14. Motor vehicle accidents (7.2 per 100,000), drowning (2.8), house fires (2.3), homicides (.9), and suffocation (.7) rank before it. The "other" category in the accompanying chart is comprised of aspiration of food, suicide, and aspiration of other materials. [Anne Waller, "Childhood Injury Deaths," American Journal of Public Health, March 1989.]

Top Ten Causes of Injury Deaths
Children 0-14



Source: Childhood Injury Deaths, Johns Hopkins, March 1989.

- According to a recent study of 266 unintentional firearm shootings involving children 0-16, in 73% of the cases, the children were not being directly supervised by adults at the time of the shooting; and in more than 60% of the cases, no adults were on the premises when the shooting occurred. ["Child's Play," Center to Prevent Handgun Violence, July 1988]

- According to the study just mentioned, 50% of unintentional shootings occur in the victim's home; 30% occur in a friend's home; and 8% occur in a relatives home. [ibid.]

Effectiveness of Education

- Hunting accidents have declined by greater than 50% since states established education programs for hunters in the early 1970's. [North American Association of Hunting Safety Coordinators, 1987]

- As hunting education programs have increasingly been targeted to young hunters, hunting accidents for this population have declined. Since 1982 -- when detailed information on a nationwide basis first became available -- to 1987, "two-person" hunting injuries for youth 10-19 declined by 41%; "self inflicted" accidents involving 16-17 year olds have declined by 29%. [Ibid.]

- In the state of Wisconsin -- which has rigorous hunter education programs and keeps detailed records on hunting accidents -- hunting accidents involving 12-15 year olds have declined by 33% since 1970, and accidents involving 16-17 year olds have declined by 29%. ["State of Wisconsin Hunting Accident Report, 1966-1987," 1988]

Accessibility of Guns

- Most of the guns obtained by youths can be traced to the youth's home or the home of a friend or relative. A study done by the Florida School Boards Association found that 86% of the guns taken from students were from the students' homes. A study done by the Center to Prevent Handgun Violence found that 88% of accidental shootings occurred in homes, and nine of every ten handguns used came from the home where the shooting occurred. ["Facts About Kids and Guns," Center to Prevent Handgun Violence]

- Forty-one percent of boys and 24% of girls surveyed in 1987 said they could obtain a gun if they wanted to. [National Adolescent student Health Survey, HHS, August 1988]

Guns and Schools

- In a national survey of 8th and 10th graders, 3% of boys said they had carried a handgun to school once in 1987, and 1% said they carried one to school daily. [National Adolescent student Health Survey, HHS, August 1988]

- In 1986, there were 361,000 school-related incidents of simple and aggravated assault. Of those incidents, 1,700 (or .4%) involved the use of a gun. [DOJ, BJS, National Crime Survey Report, 1986]

Guns and Juvenile Crime

- Of all juveniles incarcerated for a violent crime, 41% used a weapon. A gun was used in 20% of these incidents. Juveniles used a gun in 57% of homicides and 24% of robberies. ["Survey of Youth in Custody, 1987," DoJ, BJS, September 1988]

Chairman **Miller**. Thank you.

Mr. Packard?

Mr. **Packard**. I have no statement, thank you, Mr. Chairman.

Chairman **Miller**. Thank you.

Then our first witness will be Detra, who is an 18-year-old from Washington, and she will be accompanied by Robert Milner, who is a Special Consultant, Office of Services Assisting Youth, from Washington., D.C.

If you both would like to come forward and take a seat up at the witness table.

Welcome to the committee. As I said to you earlier, thank you very much for agreeing to testify. We appreciate it. We are a pretty relaxed committee here, so relax and proceed in the manner in which you want, which I think is that you wanted to read your statement. Is that correct?

Ms. **Detra** J. Yes.

Chairman **Miller**. Why don't you go ahead and then, when you are done, we will probably have some questions to ask of you and maybe also of Mr. Milner.

Ms. **Detra** J. Okay.

STATEMENT OF DETRA J.; ACCOMPANIED BY ROBERT MILNER, SPECIAL CONSULTANT, OFFICE FOR SERVICES ASSISTING YOUTH, WASHINGTON, DC

Ms. **Detra** J. Good morning, my name is Detra. I am from the District of Columbia.

Too many young people have guns. You can get guns on the street just about as easy as you can get candy. I know kids as young as 12 who carry guns.

Mostly, they get the guns from the older youth they know. Everyone knows how to get guns if they want one. The guns range from 22s to 9-millimeters to Uzis.

Everyone knows someone who has been killed or injured by guns. Eight people I know have been killed by guns and several more were shot and didn't die. My boyfriend was shot after he intervened in an argument between two people he knew. The people I know who have been shot range from the age of 15 to 21. Some were cousins, some friends.

When one of your friends gets shot, you think it could be you, that you might be hit by one of the shots aimed at someone else.

The shootings occurred over issues ranging from drug deals gone bad to someone stepping on someone else's shoes. It used to be if you owed money to someone you know, you would get beat up over it, but now they shoot you. People do not seem to care about killing people.

I have heard of people getting shot at go-go clubs over bumping into people and talking to someone's girl. Some people have gotten shot over the sort of teasing and joking around that is normal among kids. You have to learn to keep an eye out and stay out of people's way.

In my neighborhood, I hear gun fights sometimes, but not as much as last summer, when there two a week. My friends and I talk about the issues of violence, drugs, and guns. Some people I know are either involved with the trade or go out with boys who are. They get involved because they want fast money to buy cars, jewelry, and radios. They don't get jobs because the pay is too low.

I have been asked to hold drugs for dealers, but I have refused. I prefer to buy things with money that I have earned legally.

There are also guns in school. Students are no longer allowed to carry pocket books or book bags in school because students have been carrying guns. A school nearby had to be emptied one day because a shoot-out was expected. Hustlers are more popular socially. School has become a fashion show. If someone has fancy shoes, then everybody wants them. Girls get status by going out with hustlers. They brag, "My boyfriend has more money than your boyfriend will ever have."

Kids need more role models. The hustlers are nice to the young children and buy them candy and things. These children need other adults who are willing to talk and spend time with them. And we need to get the guns off the streets.

Thank you.

PREPARED STATEMENT OF DETRA J.—AN 18-YEAR-OLD GIRL FROM WASHINGTON, DC

Too many young people have guns. You can get guns on the street just about as easily as you can get candy. I know kids as young as 12 who carry guns. Mostly, they get the guns from older youth they know. Everyone knows how to get a gun if they want one. The guns range from 22s to 9 millimeters to Uzis.

And everyone knows someone who has been killed or injured by guns. Eight people who I know have been killed by guns and several more who were shot and didn't die. My boyfriend was shot after he intervened in an argument between two people he knew. The people I know who have been shot range in age from 15 to 21; some were cousins, some friends. When one of your friends gets shot, you think it could have been you, that you might get hit by a shot aimed at someone else.

The shootings occurred over issues ranging from drug deals gone bad to someone stepping on someone else's shoes. It used to be that if you owed someone money, they would beat you up over it but now they shoot you. People don't seem to care about killing people. I've heard of people getting shot at go-go clubs over bumping into people or talking to someone's girlfriend. Some people have gotten shot over the sort of teasing and joking around that's normal among kids. You have to learn to keep an eye out and stay out of people's way.

In my neighborhood, I hear gunfights sometimes, but not as much now as last summer, when there were maybe two a week. My friends and I talk about the issue of violence, drugs, and guns. Some people I know are either involved in the drug trade or go out with boys who are. They get involved because they want fast money, to buy cars, jewelry, radios. They don't get jobs because the pay is too low. I have been asked to hold drugs for dealers but have refused. I prefer to buy things with money I have earned legally.

There are also guns at school. Students are no longer allowed to carry pocket books or knapsacks in my school because students had been carrying guns. A school nearby had to be emptied one day because a shoot-out was expected. Hustlers are more popular socially. School has become a fashion show. If someone has fancy shoes, then everyone wants them. Girls get status by going out with hustlers. They brag that "My boyfriend has more money than your boyfriend will ever have."

Kids need more role models. The hustlers are nice to the young children and buy them candy and things. These children need other adults who are willing to talk and spend time with them. And we need to get the guns off the streets.

Chairman **Miller**. Thank you, Detra, for your statement.

In the first part of your statement you say that too many young people have guns and you can get guns on the street about as easily as you can get candy. Why are the kids that you know that have guns getting them?

Ms. **Detra** J. Okay, if they hustle for a person and, you know, he is a runner or a hit man, they——

Chairman **Miller**. In the drug business, you are describing?

Ms. **Detra** J. Yes. He is given a gun to carry out orders that the main person has given him. Sometimes it is for self-defense because they know somebody is after them. If they know they are dealing drugs, then somebody may be after them, so they are going to get it for protection.

Chairman **Miller**. Are there some people who are carrying them who aren't in the drug trade, who might be carrying them just to look tough or to gain status or something like that? Or is it all part of the business?

Ms. **Detra** J. It is all part of the business.

Chairman **Miller**. What is the youngest person you know who has a gun?

Ms. **Detra** J. Twelve.

Chairman **Miller**. Twelve years old?

Ms. **Detra** J. Yes.

Chairman **Miller**. That person would be involved in the drug trade?

Ms. **Detra** J. Yes.

Chairman **Miller**. So the gun is just one of the instruments of the trade.

Ms. **Detra** J. Yes.

Chairman **Miller**. You have talked about the fact that you have heard gun fights. What goes through your mind when you hear gunfire in your neighborhood? Apparently that happens fairly frequently?

Ms. **Detra** J. Not as much as it did last summer. You don't really hear them now, but you hear them, like, late at night about 1 or 2, sometimes. It is not as much as you did last summer when it was like two times a week. It was mainly over who owed somebody money or joking around, talking about each other and they can't handle it any more so they shoot them.

Chairman **Miller**. What goes through your mind when you hear the gunshots?

Ms. **Detra** J. I just try to stay out of their way and duck, you know, because you don't know what is coming your way. Just stay out of their way.

Chairman **Miller**. What do these young people's parents say when they find out that their son or daughter or somebody is carrying a gun?

Ms. **Detra** J. They try to get them to stop, but some of the ones that I know, they just hide it or put it away somewhere else in the neighborhood, like abandoned houses or stuff like that. They just hide it from their parents.

Chairman **Miller**. So their parents might not necessarily know——

Ms. **Detra** J. Yes.

Chairman MILLER [continuing]. That they are carrying guns.

Where do you think—do you talk to children—you are 18, do you talk to children or do younger children talk to you about what they think about the shootings and the fact that people have died in the neighborhood, younger kids?

Ms. DETRA J. Yes. They are scared and they tell me that they are scared and they know a few people who do it and they are just scared.

Chairman MILLER. Do they change the way they are living? Do they stay in the house or do they try to stick together with friends? How do they go through their day?

Ms. DETRA J. Okay, when we are outside, we mainly stick together as a group, but most of the time, we are not outside because we know that there is nothing outside for us anymore. So mainly we stay in the house or go to a recreation center, something like that.

Chairman MILLER. You work now?

Ms. DETRA J. Yes.

Chairman MILLER. You work part-time, full-time?

Ms. DETRA J. Full-time.

Chairman MILLER. Full-time. Do you work in the neighborhood or do you work in another part of the city?

Ms. DETRA J. I work in the neighborhood.

Chairman MILLER. So when you are not at work, you are more or less hanging around the house?

Ms. DETRA J. Yes, in the house.

Chairman MILLER. Mr. Milner, if I might ask you—I know you are here just to accompany Detra, but you have been involved with young people for some time. How common is this in the kids you work with?

Mr. MILNER. As Detra has stated, since the renovation has taken place over in the community, we don't have as much problem as you had during the summer last year, mainly because a lot of the people who are in the business are no longer there. You still have a small percentage that are there that are maintaining the business, but because of the renovation, because of the program that I work for, a lot of the hustlers have been relocated to Potomac Gardens, Kenilworth, Mayfair.

Chairman MILLER. So the problem has been moved to another project.

Mr. MILNER. Has been moved to another project. But you still have the problem there among the kids in junior high school and high school. As she stated, they do carry guns to school. Getting a gun is no problem if you know who you have to go to to get it. The people who come into the business already know who and what channels they have to go through to receive the weapon.

Chairman MILLER. How big is the immediate neighborhood that Detra lives in—how many housing units there, roughly?

Mr. MILNER. You have roughly around between, I would say, 60 to 75 units that are open at this present time. As I say, they are still doing renovations——

Chairman MILLER. They are remodeling them?

Mr. MILNER. They are remodeling them.

Chairman MILLER. How many children in that neighborhood do you think are carrying guns or have immediate access to guns? Do you have any estimate?

Mr. MILNER. Fifteen to 20.

Chairman MILLER. Fifteen to 20.

Mr. MILNER. And that is just my speculation. It may be more.

Chairman MILLER. Would that be typical of other housing projects in the city?

Mr. MILNER. Oh, no.

Chairman MILLER. That is low?

Mr. MILNER. That is low. In certain areas, there is a gun in just about every housing unit where some one is doing the business. For instance, Potomac Gardens. Now, Potomac Gardens is really a war zone, you know. I would be surprised if anyone over in that area don't have a gun. Over on the Farms, it is low because we have transferred them from here to there.

Chairman MILLER. Detra, do kids talk about other areas of the city as being worse, or more dangerous, or as places you don't go or that your parents might tell you not to go to? I mean, there has been a lot of attention in the newspapers and on TV about some of these other areas. Do you consider them worse or more frightening?

Ms. DETRA J. Yes, they are worse than where I live. Our area cooled down, as Robert said, because they all moved out: half of them dead, half of them locked up. So the ones that we transferred, they live, you know, Potomac Gardens and worse areas than what we have——

Chairman MILLER. I am sorry, I am missing—why is it worse? What were you just saying?

Ms. DETRA J. Because most of the ones that we had around our way——

Chairman MILLER. You mean the drug dealers or people involved in the trade.

Ms. DETRA J. The ones that are involved with the trade:
they have gone to jail, moved out to other areas, or they are dead.

Chairman MILLER. So, in fact, you would consider yourself somewhat lucky to be living in this housing unit, as opposed to others?

Ms. DETRA J. Yes.

Chairman MILLER. And yet, you are talking about—you are estimating that there may be a gun in at least 40 percent of the units? I guess it really wouldn't break down into units; they may have more than one kid in a house that would be carrying a gun.

In other projects, you are telling us it may be 100 percent.

Mr. MILNER. It all depends on what area, what project you go to.

Chairman MILLER. Detra, I have to—let me just—if you don't want to talk about this, please feel free to tell me you don't, but we are all kind of products of our environment. I try to think about growing up and I think from the time that I started school until the time I graduated from high school, I think I went to two funerals for my friends. One became very ill and died of a disease and one was in an automobile accident.

You are telling me you know of eight people who have died. How many funerals have you gone to?

Ms. **DETRA** J. Half.

Chairman **MILLER**. Eight?

Ms. **DETRA** J. Half of the eight.

Chairman **MILLER**. Half of the eight? You have been to four funerals?

Ms. **DETRA** J. Yes.

Chairman **MILLER**. Is that common in your neighborhood? I mean, when you go to these funerals, there are a lot of other young people like yourself?

Ms. **DETRA** J. Yes.

Chairman **MILLER**. What do you say to one another?

Ms. **DETRA** J. We don't really converse. We just cry because it is a shame how young they are when they do that. Most of the ones, they die for no reason. They were innocent bystanders.

Chairman **MILLER**. Thank you.

Mr. Packard.

Thank you, Detra.

Mr. **PACKARD**. Mr. Chairman.

Detra, you have indicated that kids can get guns most anywhere. I think it was also indicated by Mr. Milner that if you know the right places, you can always get guns.

Do any of those guns come from legitimate gun stores? Do the young people go and buy them or do they get them through the underground?

Ms. **DETRA** J. Underground.

Mr. **PACKARD**. In other words, they know where to go to get their guns.

Ms. **DETRA** J. Yes.

Mr. **PACKARD**. None of them are purchased or received legally or, to your knowledge, taken from parents and brought from home. They are gotten through the underground.

Ms. **DETRA** J. Not that I know of.

Mr. **PACKARD**. Do they pay for their guns?

Ms. **DETRA** J. Yes.

Mr. **PACKARD**. Do the young people carry other weapons other than guns? Knives?

Ms. **DETRA** J. Yes.

Mr. **PACKARD**. So they simply are looking for something to either put pressure on people that owe them money or to protect themselves. It is not necessarily only guns. It can be other weapons, too, and they would use them just as freely as they would a gun.

Ms. **DETRA** J. True.

Mr. **PACKARD**. Are you aware of any of your young people who have been knifed at your schools or neighborhoods?

Ms. **DETRA** J. Two.

Mr. **PACKARD**. Two? Okay.

Do any of your friends carry guns that are not involved in the drug business?

Ms. **DETRA** J. No.

Mr. **PACKARD**. It is primarily, as you mentioned in answer to the chairman's questions, it is related to the drug business in school and in your neighborhood.

Ms. **DETRA** J. Yes.

Chairman MILLER. Would the gentleman yield on that point, if I just might.

Mr. Milner, maybe you can help us because you have a little bit of historical perspective—I just wrote this down as you were talking—can you think back before drugs were so prevalent, was there the gun problem—I mean, is the gun problem simply an attendant part of the drug trade? Were guns this prevalent before?

Mr. MILNER. I also need to clarify some things. In my office, I am basically—there are certain things that I can speak of and certain things I can't——

Chairman MILLER. I understand.

Mr. MILNER [continuing]. Because of my not being cleared through my office. But when I was growing up, no.

Mr. PACKARD. Detra, if we were able to put law enforcement and other programs in place to remove the drug business out of our schools, what would that do to the use of guns and other violence that takes place in our schools and in our neighborhoods?

If we were able to get rid of drugs and the drug business, would that—do you think correct or improve the gun situation and the violence situation?

Ms. DETRA J. Yes. The only thing that they really want is money and they are saying that jobs don't pay enough, so they are out there for the money. So if you remove the drugs out of the school, I am sure the guns won't be out here——

Mr. PACKARD. Apparently it takes a good deal of money to supply and support a drug business or a drug habit.

Ms. DETRA J. Yes.

Mr. PACKARD. Do you think that if we made it difficult for your parents or for other honest people in your neighborhood to obtain guns or other weapons, do you think that would stop the guns in your neighborhood and in your schools as long as the drug business is there?

Ms. DETRA J. No.

Mr. PACKARD. There is no question that we have a serious problem in our schools and in our neighborhoods, especially in our urban areas. There is absolutely no question, we do. What do you think the solution is? You have been close enough to it, certainly closer than I have been to it.

What do you think needs to be done?

Ms. DETRA J. More money. More jobs that offer more money. Most of the time, programs only send you down to 500 C Street and they give you a job for $3.50 an hour. That is not enough money for the money that they are making now. So they are saying, why drop?

All I can say is more programs.

Mr. PACKARD. I see. I don't think any of us would disagree with you there. We sincerely—certainly I sincerely appreciate you coming today. I know it is not an easy thing to do, to come to an important meeting like this, but you have done very well and I appreciate your testimony very much.

Thank you, Mr. Chairman.

Chairman MILLER. Mr. Sarpalius.

Mr. SARPALIUS. Detra, let me start by saying that you have done an excellent job. I know it is not easy for you to come before a committee like this and talk about the problems that you see with guns in schools and with some of your friends and those types of things, and you should be commended for coming here and expressing yourself.

I want to ask you a few questions. First of all, do you know what the age limit is to buy a gun?

Ms. **DETRA** J. No.

Mr. **SARPALIUS**. Is it pretty easy to get a gun if you wanted to get one?

Ms. **DETRA** J. Yes.

Mr. **SARPALIUS**. Do you know of many parents who lock up their guns in your neighborhood?

Ms. **DETRA** J. They have them hidden away, but not necessarily locked up where their children cannot get to them.

Mr. **SARPALIUS**. So if a kid wanted a gun that their parents have in their home, it is pretty easy to obtain that gun?

Ms. **DETRA** J. Yes.

Mr. **SARPALIUS**. What do you think is the best way to discourage kids from carrying guns? Do you think if parents were liable, parents had some responsibility themselves for any kid who carries a gun that that would help?

Ms. **DETRA** J. They should start off at the home with their parents. The parents should be there to guide them and tell them that it is wrong to carry a gun and put more emphasis that—what would be done to them if they were to carry a gun. But not too many parents—you know, there are not that many youth today who talk to their parents, so it should start at the home with the parents.

Mr. **SARPALIUS**. In your opinion, do you know of any way that you could encourage parents to do that?

Ms. **DETRA** J. No.

Mr. **SARPALIUS**. It is a difficult question.

Thank you, Detra.

Ms. **DETRA** J. You are welcome.

Chairman **MILLER**. Dennis.

Mr. **HASTERT**. Thank you, Mr. Chairman.

I certainly appreciate your being here today and, as everybody else has said, it is a tough thing to come here and talk about these things that happen to you. I just want to go over one more question that everybody has asked you, but we need to get this straight.

The guns that these kids get, that the 12-year-olds on up get, usually are got by the people who supply them with drugs; is that right?

Ms. **DETRA** J. Yes.

Mr. **HASTERT**. So, as well as being a provider of drugs, they are also the provider of the guns, right?

Ms. **DETRA** J. Yes.

Mr. **HASTERT**. Certainly, you say, that most of those kids—kids who aren't into drugs or aren't in the business, as you say don't carry guns. Is that what you said?

Ms. **DETRA** J. Yes.

Mr. **HASTERT**. Okay.

Now, years ago, a couple years ago, kids used to carry knives, but today the gun is almost a status symbol, right?

Ms. Detra J. Yes.

Mr. Hastert. You get a gun, people treat you almost like you are a man. Is that true?

Ms. Detra J. Yes.

Mr. Hastert. Because you are a dangerous person.

Ms. Detra J. Yes.

Mr. Hastert. And they know that they have to deal with you, right?

Ms. Detra J. Yes.

Mr. Hastert. So it is almost a psychology, isn't it, a state of mind how people look at one another and treat one another. So somebody with a gun has become a very important person in that community, whether he is dealing in drugs or whatever. Is that right?

Ms. Detra J. Yes.

Mr. Hastert. Does almost everybody in a housing project like yours know who is carrying a gun and who is not? I mean, it is pretty well known among the people?

Ms. Detra J. Yes.

Mr. Hastert. You talk about dollars, and you say you work for a living, and it is tough, isn't it?

Ms. Detra J. Yes.

Mr. Hastert. Especially if you are working in a store or working in the projects. How much money can a kid, say 14 or 15 years of age, who is working in the business—how much money can he make in a night or a week? About?

Ms. Detra J. Well, they make a thousand a night. It depends on how long you are out there or what you are selling.

Mr. Hastert. So a kid who is just a teenager——

Ms. Detra J. Yes.

Mr. Hastert [continuing]. Can make a thousand a night.

Ms. Detra J. Yes.

Mr. Hastert. That is a lot of money, isn't it?

Ms. Detra J. Yes.

Mr. Hastert. That is even a lot of money for anybody who is in Congress.

Do you think, then—it is awful tough to go back and—any of those people go back and try to earn $3.50 or $5 or $7, even $10 an hour, you know, hard work all day long, and try to compete with that thousand dollars a night, isn't it?

Ms. Detra J. Yes.

Mr. Hastert. Does that money come back to help their family? I mean, does it actually subsidize their family and their mom and kids and brothers and sisters sometimes, or is that all their money?

Ms. Detra J. Mainly they spend it on themselves, because I have seen boys with cars and their mothers still catching the bus. So it is not coming home. It is going on what they want to get, what they want to buy.

Mr. Hastert. So once you earn that status as a man and you carry that gun, those dollars—they are your dollars, they don't go back to the family or help your mom or anything else like that?

Ms. Detra J. Yes.

Mr. Hastert. Most mothers certainly don't want their kids to do that. I don't want to be leading you or telling you what I think the answer is—I am asking your opinion. Is that a status symbol for a mother, if everybody knows that all of a sudden her son is a man carrying that gun or is that something that mothers don't like to see happen?

Ms. **DETRA J.** They don't like to see it happen.

Mr. **HASTERT.** Because they know that that danger is there, right?

Ms. **DETRA J.** Yes.

Mr. **HASTERT.** I think we can learn more from your testimony than an awful lot of experts because you are there, and you see, it and you know those people that it happens to.

Did you want to say something else?

Ms. **DETRA J.** No.

Mr. **HASTERT.** Okay, fine.

I appreciate it. You have been very helpful to us today and a very charming witness. Thank you very much for coming and spending some time with us.

Ms. **DETRA J.** You are welcome.

Chairman **MILLER.** Mr. Sikorski.

Mr. **SIKORSKI.** No questions, thank you.

Chairman **MILLER.** Mr. Durbin.

Mr. **DURBIN.** Thank you, Mr. Chairman. I am sorry I came in late, but I have read your testimony. I really do appreciate your coming by here today.

You sure have seen an awful lot in your life. I take a look at some of the things you have experienced and I tell you, people of 50, 60 years of age haven't seen some of the things that you have been through. It takes a lot of courage for you to come here, and I appreciate it. We all do, because many times, we are just far-removed from what is going on out there in the real world, in the neighborhoods, and when you come in and tell the story, it really has an impact on us. It helps us understand.

It looks like you faced some tragedies in your own life with your boyfriend being shot and things like that that brought you to the point where you are willing to sit here and tell us this story.

Are there other—some of your friends that—are there tragedies that happen to them that lead them to the point where they say, I am just not going to be involved in this anymore; I have to get away from it; I have to find some other thing to do with my life?

Ms. **DETRA J.** Most of them get deep into it after their friends die or whatever. They get deep into it. I would think that they would draw away from it, but they get into it heavier.

Mr. **DURBIN.** So they go the other way. You are saying they just say, this is it, we have to fight this battle and stay with it and if somebody dies, that is going to happen.

Do they talk among one another about getting caught by the law and facing penalties or facing the judge or going to jail? Is there conversation about that happening?

Ms. **DETRA J.** Not really. They say it is not going to happen to me. They have that kind of attitude.

Mr. **DURBIN.** Some people—I mean, we talk in legislatures about raising the penalties. We are going to make it so tough, if you ever get caught with a handgun, we are going to make the penalties so high that anybody who hears about that is going to be frightened to think that they might get caught some day.

Do you think that would help, if we raised the penalty and said, boy, no matter how old you are, if you get caught with a handgun, we are going to throw you in jail, no ifs, ands or buts about it? Would that help?

Ms. DETRA J. It should.

Mr. DURBIN. It should help?

Ms. DETRA J. Yes.

Mr. DURBIN. Okay. We have to get the message down to the streets, though, don't we?

Ms. DETRA J. Yes.

Mr. DURBIN. Definitely. How do we do that? Who talks—who gets that message across most effectively, do you think?

Ms. DETRA J. Where I work, it is a program and kids come in there. We talk to them, you know, about it, so if somebody were to tell us, we would just tell them or either have it come across the media.

Mr. DURBIN. Spread the word around that way.

Ms. DETRA J. Yes.

Mr. DURBIN. Yes. Do the churches in your neighborhood have much impact on people's lives in terms of making these decisions?

Ms. DETRA J. Most young kids don't go to church any more.

Mr. DURBIN. So there is very little connection there between what is happening at church and what is happening on the street?

Ms. DETRA J. Yes.

Mr. DURBIN. I want to thank you for coming. You came here at an interesting time because yesterday we were debating on the floor something called the minimum wage bill——

[Laughter.]

Mr. DURBIN [continuing]. And you know, an awful lot of people said to us—

Chairman MILLER. You don't have to laugh at us. [Laughter.]

Mr. DURBIN. Sometimes it is easy to be amused by what we do—but some people said, why are you so worried about minimum wage, it is just money going to kids. When you think about young people like yourself, young men and women, and how a few dollars might mean a little more hope——

Ms. DETRA J. Yes.

Mr. DURBIN [continuing]. It becomes more than just an issue of helping kids. It is helping the next generation.

Thanks, Detra.

Ms. DETRA J. You are welcome.

Mr. DURBIN. Thank you, Mr. Chairman.

Chairman MILLER. Mr. Smith.

Mr. SMITH of Texas. Thank you, Mr. Chairman.

Detra, I appreciate you being here as well and certainly as has been indicated by other members of this subcommittee, your presence is very much appreciated.

It seems pretty clear to me that based upon what you have said and on the statistics that we are aware of that the laws aren't working in the District of Columbia right now. They have some of the toughest gun laws anywhere in the United States and yet we have in the capital city some of the highest rates of violence of all kinds.

As you know, it is illegal right now to carry guns in the District of Columbia. Supposedly you have to have parental consent if you are under 21.

What I wanted to ask you, and this is a follow-up on a question you were asked a few minutes ago, is that if the laws were strictly enforced, if we had more police, if we had tougher penalties, would that get through, would that help reduce the violence?

Ms. DETRA J. Yes.

Mr. SMITH of Texas. You mentioned a few minutes ago that violence is directly related to the drug culture. I was going to ask you what you think should be done about the drug traffic, but let me ask the question this way: If we were to dry up the drug trade in the District of Columbia, do you think that that would also eliminate a lot of the violence that is occurring on the streets?

Ms. DETRA J. Yes.

Mr. SMITH of Texas. Do you think that that is a good way to get at reducing the gun violence, to dry up the drug traffic?

Ms. DETRA J. Yes.

Mr. SMITH of Texas. Okay. I happen to agree with you.

Let me also ask you, to follow up on an earlier question as well, do you feel that if there were stronger families, if there was more parental supervision of young people, that that would do a lot to stem gun violence?

Ms. DETRA J. Yes.

Mr. SMITH of Texas. It seems to me that we have clearly brought out some of the solutions today, which are to enforce the laws better, be tougher on individuals of all ages who are abusing guns and generating violence and also try to shore up the families. I think that those are subjects that this committee is interested in pursuing in the long term and certainly, Detra, we appreciate you pointing those out as solutions to the problem.

I thank you for being here.

Ms. DETRA J. You are welcome.

Chairman MILLER. Barbara?

Mrs. BOXER. Thank you, Mr. Chairman.

You said in your testimony that you knew children as young as 12 who carry guns.

Ms. DETRA J. Yes.

Mrs. BOXER. Do you think the reason that they do it is because most of the people they look up to carry guns as well?

Ms. DETRA J. Yes. They look at the hustlers as role models.

Mrs. BOXER. Yes. So, would you say, if there were other role models who could compete with the hustlers, it would help matters? In other words, what troubles me is that very point, but it seems to me that the big hope is with the little kids, isn't it? In other words, you are saying to me, even after you see death—not you personally, but your peer group—it doesn't even stop. It makes them get more into it, is what you said.

Ms. DETRA J. Yes.

Mrs. BOXER. So it seems to me that what we have to do is get to these little kids really early on so they have the courage to say to a hustler, "You don't really care about me; you don't really love me and I don't want to follow your way."

Now, if someone like you, for example, who has a certain set of beliefs, were to go into a school where there were first-graders, kindergarten, second, third, and you met with them and worked with them, do you think that would help . . . to stay with these kids as an alternative role model?

Ms. DETRA J. I do it now.

Mrs. BOXER. You do?

Ms. DETRA J. Yes.

Mrs. BOXER. Is it working at all with these little ones? Do you see progress?

Ms. DETRA J. Yes.

Mrs. BOXER. Can you tell us a little bit about how you deal with them and how they respond?

Ms. DETRA J. We have self-esteem classes and we pick a topic about today's problems and we discuss it and they tell us what they see and how they see it and we will try to, you know, steer them in the right direction. Most of the time, I keep them off the streets because I deal with—I deal with girls mainly. You know, sometimes there are fellows in our group because I do talent and fashion shows, and so—anything to keep them off the street, I am willing to do. So I try to do that.

Mrs. BOXER. You look beautiful and I think—and you are beautiful inside, so I think that does come across to the kids.

So in looking for solutions, there are a lot of solutions that we could come up with here, but I think one of them is expanding on this whole role model notion.

Do you do this through a program that was set up through the city or the schools or what?

Ms. DETRA J. Department of Recreation, OSAY.

Mrs. BOXER. Okay. And you get to see the kids after school?

Ms. DETRA J. Before and after.

Mrs. BOXER. Before and after school. Do they go there on a voluntary basis or it is part of the program or are these kids who have gotten in trouble or——

Ms. DETRA J. After school, they come voluntarily. They come in.

Mrs. BOXER. And how old are they?

Ms. DETRA J. They range from nine to 25.

Mrs. BOXER. No kidding? Okay.

Mr. Chairman, thank you. What I am coming to is we have to get kids at very, very young ages and use people like this witness, who, in the worst of all circumstances and worlds, has managed to pull it all together and she has a lot to offer these young people. So I think our future lies with people like that.

Thank you.

Chairman MILLER. Thank you.

Mr. Machtley.

Mr. MACHTLEY. Thank you very much, Mr. Chairman. I have submitted a statement and request that that be part of the record——

Chairman MILLER. Without objection, it will be put in as part of the record.

[Opening statement of Hon. Ronald Machtley follows:]

OPENING STATEMENT OF HON. RONALD MACHTLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF RHODE ISLAND

I would like to take this opportunity to applaud the efforts of this Select Committee on Children, Youth, and Families for confronting this issue of children and guns.

Nevertheless, in listening to today's testimony we must be aware that this is an extremely large and complicated topic. To lump together ALL incidents involving a person under the age of 21 and a firearm of sorts, is not only an oversimplification of the issue, but is also a disservice to this serious problem.

A case involving a child who, while cleaning a gun, accidentally shoots a friend is clearly different from an incident in which a youth uses a gun to hold up, say, a package store. An apples-to-oranges comparison, at best.

In order to better understand the problem, so that ultimately we can reach a solution, there are many questions that must be answered first. For example, are we talking about a young child, an adolescent, or a young adult? Was the incident accidental or deliberate? What was the source of the firearm? The list goes on and on.

I look forward to hearing the testimony of our panel this morning, and I would urge my colleagues to consider the above questions, as well as others, so that this problem may be properly addressed. Thank you.

Mr. MACHTLEY. Thank you very much, Detra, for your testimony and for being here.

I would just like to get a little more information about who these people are and what exactly they are using as weapons. Do you think most of the people are above 14 who are carrying weapons in your school, from your personal knowledge?

Ms. DETRA J. They start at 12.

Mr. MACHTLEY. They start—are many of them 12 to 14?

Ms. DETRA J. Not many, but you have a few. Most of them are 15 and up.

Mr. MACHTLEY. Are many of them in school or are many of them out of school, either dropouts or have graduated?

Ms. DETRA J. It is a mixture of all.

Mr. MACHTLEY. So you have both school attendees and people on the street?

Ms. DETRA J. And dropouts, yes.

Mr. MACHTLEY. Are the guns primarily or almost exclusively handguns which are involved?

Ms. DETRA J. Yes.

Mr. MACHTLEY. The laws in this country, as I understand, do not permit anyone to carry a handgun under 21. From your knowledge, most of these guns must be unregistered, then.

Ms. DETRA J. Yes.

Mr. MACHTLEY. The hustlers who are acting as role models, are most of these people 18 and over or are they younger? What age group are these hustlers that you are talking about?

Ms. DETRA J. Fifteen and up.

Mr. MACHTLEY. Fifteen and up?

Ms. DETRA J. Yes.

Mr. MACHTLEY. Now, what do you think is the interaction with the existing police and these young people on the street? Sure, if we had enough police to put one on every corner or one on the doorstep of every home, we could stop the problem, but what do you think the interaction is with the existing police? Do the police try and work with the kids who are involved? Are they turning their backs on the kids? Do they just sort of condone and say, well, I know Johnny over there always carries a gun and just stay away from him?

What is your experience?

Ms. DETRA J. They have police walking the streets now, but—like, if there is a group of kids standing together, they will come and break it up or, you know, stop and see what they are talking about. But it is nothing like they are turning their backs on them and it is not like they are helping them either.

Mr. MACHTLEY. Is there any way for the police to confiscate these guns? That is what I am trying to get to. If they make—can we do something to make it more difficult for the kids to carry guns with the existing police force?

Ms. DETRA J. Make examples of the ones that are already locked up.

Mr. MACHTLEY. What about in school? You mentioned there are some ways of cutting back on kids carrying guns. Do you think we could put metal detectors like we use at airports and other methods of preventing guns from coming in and making it just more difficult? Will that help?

Ms. DETRA J. It might, but—

Mr. MACHTLEY. Do you think that they could just go out and get another gun?

Ms. DETRA J. That will just stop them from bringing it into the school, but that is not going to stop them from getting one.

Mr. MACHTLEY. Just going back to—because, I think you probably have as much information as to what could be done—other than role models, which I agree is certainly the best way to go and maybe the way that we can help many of the kids, but is there anything we can do with those who are carrying guns just to limit the number of guns which are on the street?

Ms. DETRA J. If they are caught with a gun? What I say is lock them up so they will understand that it is not that easy to carry a gun and get away with it.

Mr. MACHTLEY. Thanks very much.

Thank you, Mr. Chairman.

Chairman MILLER. Thank you.

Mr. Evans.

Mr. EVANS. In the District, they have banned handguns and yet you know many students that have guns. Did any of the eight people that you know or those that have been wounded have guns or were engaged in gun fights at the time they were shot?

Ms. DETRA J. Most of them were gun fights and half of them were innocent bystanders.

Mr. EVANS. I am sorry?

Ms. DETRA J. You had half that had guns and were in gun fights and half were innocent bystanders.

Mr. EVANS. For some of those that have died, there is really—if they had guns and were involved in a gun fight, there is no amount of increased penalties that are going to be any worse than actually getting killed, I suppose, or perhaps wounded in a gun fight, so if we are talking about increased penalties, in effect, we have capital punishment for some of these gun owners that have been involved in these gun fights; is that right?

Ms. DETRA J. Yes.

Mr. EVANS. But there is a feeling that you have to be armed to protect yourself? Is there that feeling in your community?

Ms. Detra J. Among the ones that are dealing, yes.

Mr. Evans. All right. So nothing we probably do here in terms of saying you could go to jail for X—maybe a year or something is going to be any worse, you know, punishment than what has happened to some of these students that have been killed or wounded; is that correct?

I mean, do you think if we passed a law here saying you go to jail for one year whether or not you actually discharged a weapon in the commission of a crime, would that deter people in your community from owning guns?

Ms. Detra J. You really can't say. You have to prove it.

Mr. Evans. I am sorry?

Ms. Detra J. I am saying, you could say that you are going to lock them up for whatever amount of years for a gun, but they are not going to believe it until they see it. So you have to really prove, make an example out of somebody.

Mr. Evans. All right. Thank you.

Chairman Miller. Thank you. Let me, if I might, first of all, Detra—you mentioned that a couple of times you have been asked to hold drugs for a dealer or hustler, as you refer to them. Where did you get the courage to say no?

Ms. Detra J. From inside. I don't want to have anything to do with it, drugs, none of it, guns, anything; because as soon as you start holding stuff for somebody, they might come looking for you. They don't care who it is. You could just be—you know, passing these drugs back to him and somebody could just snatch him, snatch you, shoot you, shoot him. I would rather not deal with it.

Chairman Miller. Good decision. Logical. It follows. Okay.

But again, you look at this and you analyze, and you say this is a very dangerous business to get into. This can cause you a lot of trouble if you even start getting involved at all.

Ms. Detra J. Yes.

Chairman Miller. And yet, many of your friends or people that you see that are living in your neighborhood look at it, and, for some reason, they draw a different conclusion.

What do you think it is that is driving them where they would flirt with death or injury or jail terms? Why would they flirt with it? What is driving it?

Ms. Detra J. Popularity.

Chairman Miller. Popularity?

Ms. Detra J. Yes.

Chairman Miller. How do they get to be popular by doing this?

Ms. Detra J. The girls—they think it is cute, like, if you go out with a hustler, you are this and you are that. So that is why they do it and they do it for the fancy jewelry, the cars and stuff like that.

Chairman Miller. What I find interesting is that that answer parallels answers that we have received in this committee from members of various gangs around the country—that this provides status. As one young woman said who belonged to a gang, "You know, it's not easy to be a Chicana in America, but if you belong to the gang, no one's going to fool with you." She said, "Your teachers treat you with respect and people leave you alone if you belong to a gang."

Is that part of being involved in the drug trade, too, you think?

Ms. DETRA J. Yes.

Chairman MILLER. So it kind of solves some of your problems? It also adds to them, apparently, rather dramatically.

When we asked a number of gang people "do your parents know you are a member of a gang," or "why would your parents let you become a member of the gang?" a couple people who were former gang members who now have left those gangs from Philadelphia and Los Angeles said that we had to understand that sometimes the child was bigger than the parent, that maybe parents didn't have as much control as some of us in Congress thought they might have, that some of these kids scare even their parents.

Do you think that that is somewhat true?

Ms. DETRA J. Yes.

Chairman MILLER. Do you see examples of that in your neighborhoods?

Ms. DETRA J. Yes.

Chairman MILLER. Where a mother might not be able to exercise control over whether her son carries a gun or gets involved in the drug trade——

Ms. DETRA J. Yes.

Chairman MILLER [continuing]. Or who her daughter goes out with?

Ms. DETRA J. Yes.

Chairman MILLER. So the pleas of the parents might simply go unheeded in this case, where kids aren't going to pay attention.

Ms. DETRA J. Yes. It is not a family bond any more. The parents—okay, they might say stop or whatever, but that is not going to necessarily stop the child from doing what he or she wants to do, because while they are outside, the mother is inside, and she, you know, doesn't have any control of what her child does outside unless she really enforces her rules and regulations in her house.

Chairman MILLER. Mr. Milner, do you find that to be the situation, I mean, where in many instances, parents are making the effort, but they have lost that element of control that we like to think we have as parents?

Mr. MILNER. That is basically true, but I must clarify that all the kids that are in the project homes aren't bad kids. You have 10- or 15 percent who are doing the business and the rest are going to schools, getting good grades, coming in on time, working summer jobs, you know, doing other cultural activities, but it is just that you have that bad apple in every project who is going to stand out and shine beyond the ones who are doing well.

Chairman MILLER. All right. The concern I have is not that every child is a bad kid. What troubles me is the extent to which young people like Detra and the young kids and the very small kids have lost almost all of their liberties in these neighborhoods because of a few people involved in the drug trade. Kids cannot go out and play. Kids sleep on the floor. Kids are kept home after school. They are not experiencing the sort of normal growing up and fun and play that you equate with childhood because there are a few people standing on the corner who scare the hell out of them.

I hope this doesn't appear to be an indictment of all kids who live in projects because, in my district, in talking with kids in housing projects in tough neighborhoods, what always grabs me is the extent to which some of the very young kids are just frightened to death of their environment. When you talk to young people—as we have with former gang members or gang members or people like Detra—you see that they are called on at an age, 14, 15, 16, to deal with some problems that not many of us would be very successful at in terms of the difficult choices that you would have to make at that age.

I am concerned that there is a notion, sort of, that children are running wild without parents paying attention, but boy, I will tell you, in my district, there are an awful lot of parents who are marching every Saturday and Sunday to try to get drug dealers out of their neighborhoods and trying to grab onto their kids. I think even Secretary Kemp has suggested that, in many of these neighborhoods, there are no options. Fortunately, he has joined up with the YMCA and YWCA to see about improving some of the recreational facilities. Again, the testimony before this committee, by an awful lot of kids, is that we fail to understand. We think a lot of black kids are standing around shooting basketballs and they say, "We don't even have hoops in our neighborhood. There are no basketballs; there are no hoops; there's nothing."

I think that is what the Secretary has tried to point out and I think, as Congresswoman Boxer has said, what is the opposite of the drug trade in these neighborhoods? If the opposite is nothing, then the drug trade starts to look fairly attractive.

I think we know enough about children to know that they seek stimulation. They are risk-takers. They think they are invulnerable. They have a lot of things going for them, but if there is no outlet, if you can't play ball, you can't join a group or you can't have some outlet— I don't know, I guess maybe the drug trade becomes very attractive at that point.

Mr. MILNER. It is attractive because, number one, as you say, most of the hustlers range from—and what I mean by hustlers, I am talking about your hustlers out here doing it on a regular basis—range from 15 on up. The babies, which Detra deals with a lot—as she says, she works for the Department of Recreation OSAY program and a lot of the kids in the neighborhood—and when I am saying "babies," I am talking about your nine through 12—12 and on down—look up to Detra because Detra takes them here, she counsels them, she buys them ice cream, all the things that they are not getting at home, Detra supplies.

When you are dealing with your 15s and 16s, then you are dealing with something different. They consider themselves grown; they consider themselves, "I know what I'm doing," so you have a different tactic because you have the 19- and 20-year-olds who are making the drug world look good to your 15s and 16s. They come up in the cars and they go—they are friends. But dealing with the little ones, as you stated, once we get to our little ones, that will leave out all the rest because the little ones are going to take the place of the so-called "who wants to be a hustler; who doesn't?"

Chairman MILLER. You think, even in these difficult neighborhoods and circumstances, that there is clearly an opportunity there to change the outcome of some of the younger kids?

Mr. **Milner**. Exactly, and it has been done. It has been done. Most of the kids in the project homes, when they come to the program, as I say, they have different options, school, tutoring. Instead of being out there on the street corner watching the hustlers, they have the option to go to shows that they would not have ordinarily been able to see at the Kennedy Center. They have the option of going to the basketball games, football games, anything that is going to deter them from seeing the glory, glory from the hustler.

Believe me, you have a lot of concerned parents in the community, a lot of them, and they are slowly but surely pulling together because now that they see that one will stand up, then the others stand up. Then, when you got another one standing up, then you have another. Then you build an Army. That is what is happening in the community, slowly but surely.

Chairman **Miller**. Thank you.

Any further questions by members?

Mr. **Machtley**. Mr. Chairman?

Chairman **Miller**. Yes.

Mr. **Machtley**. May I just follow up on that?

Are there some good, be it private or nonprofit organizations, that you have seen that are really making a difference or any programs that set up role models that are really good, from the standpoint of——

Mr. **Milner**. Yes, there are. There is one that I know of that has done extremely well, and that is the program I work for.

Chairman **Miller**. Were you authorized to say that, Mr. Milner? [Laughter.]

Chairman **Miller**. Thank you very much.

Detra, you can see that you have been very helpful to the committee with your personal experiences, and obviously, all of us—I think I speak for all of the Members of Congress here, wish you well and admire your courage and your willingness to help out the young children. We wish you the greatest success. We really appreciate your being here very much. Thank you.

I would also say that I think that as people have an opportunity to go back through the testimony, Detra laid down some rather remarkable and dramatic lines about this problem in her community that members may be interested in taking another look at.

Next, we will hear from a panel made up of Dr. Katherine Christoffel, who is a Fellow with the American Academy of Pediatrics; and Dr. Gary Kleck, who is the Associate Professor, School of Criminology from Florida State; Colonel Leonard Supenski, who is the Chief of Crime Prevention Bureau, Baltimore County Police Department; Dr. Thomas Scalea, who is the Director of the Trauma and Critical Surgical Care Unit, Kings County Hospital in Brooklyn; and William D. Weisenburger, who is the Assistant Principal from Stonewall Jackson High School in Manassas, Virginia.

If you will come forward and take your places up at the table, I think what we will do is we will take your testimony in the order in which I have called your names and your entire written statement will be made a part of the permanent record of this committee. The extent to which you can summarize—you can see that this is generating a fair amount of questions here—will be appreciated and to the extent that you want to comment on previous exchanges taken place, you should also feel free to do that.

Dr. Christoffel, we will start with you. Welcome, welcome to all of you.

STATEMENT OF KATHERINE K. CHRISTOFFEL, M.D., FELLOW, AMERICAN ACADEMY OF PEDIATRICS, AND ATTENDING PHYSICIAN, DIVISION OF GENERAL AND EMERGENCY PEDIATRICS, CHILDREN'S MEMORIAL HOSPITAL, CHICAGO, IL, ON BEHALF OF THE AMERICAN ACADEMY OF PEDIATRICS

Dr. **Christoffel**. Thank you, Mr. Chairman.

My name is Katherine Christoffel and I am a practicing pediatrician in Chicago, Illinois, where I serve on the medical staff of Children's Memorial Hospital. In addition, I am a Fellow of the American Academy of Pediatrics and a member of the AAP Committee on Accident and Poison Prevention.

I appreciate the opportunity to appear before you this morning to discuss the alarming problem of children and firearms in our society.

The Select Committee is to be applauded for focusing sharper public attention on this devastating area of childhood injury.

I wear a number of hats. One of these is general pediatrician and, wearing this hat, I am involved with firearm-injured children in the emergency room and after surgery. It is not difficult, unfortunately, for me to remember many specific cases and I would like to share a few of these with you.

One was a four-year-old boy whose young sister shot him while they were playing with the family handgun. The bullet lodged in his spine and he will never walk again.

One Sunday, a 16-year-old was brought to the emergency room by ambulance. In the ambulance, mere minutes after he was assaulted with a handgun, he had no palpable pulse. In the operating room, within half an hour of injury, he required about a dozen units of blood because of internal bleeding.

A ten-year-old was very recently hospitalized, having been shot while he and a friend were playing with the household handgun. They were in a festive mood because it was the boy's birthday. The bullet penetrated his face and lodged in his brain and he is expected to be permanently disabled.

A one-year-old was playing in the living room while his father was cleaning his childhood BB gun. The weapon fired, the BB penetrated the one-year-old's skull, lodging in his brain. Surgery was required to remove the BB; the child's ultimate outcome will not be clear for years.

On New Year's Eve a few years ago, a ten-year-old boy was handling the family shotgun. He did not realize that it was loaded and it discharged, destroying his brother's face. The shot lodged in the base of his brain, causing his death. His organs were donated for transplantation.

It has been more than ten years since a young patient of mine saw his own father shot to death with a handgun, but I cannot forget what the boy said. It was Christmas time and I asked him what he wanted for Christmas. He said he wanted a bugle so he could wake his daddy.

I hope this hearing can be a bugle call to wake this country to the needless danger our children face by living in our gun culture.

When I learn that a gun-injured child will require my attention, I ask two questions. The first is, how bad is it; the second is, how old is he? By knowing the child's age, I can almost predict the circumstances in which he was injured. If he is under five, and it is almost always "he," the story will be that he was playing at home, either his home or a friend's or a relative's, when he found a gun. He may have thought it was a toy or may have thought it was real but unloaded and began to explore it. The exploration may have included pulling the trigger to see how it worked. Or perhaps it was another child of similar age who did the exploring and the trigger-pulling.

If the child is over five, the story will be similar, except that the handling of the gun will have been fantasy play, in which the shooter or the victim or both were tough guys in a fight, just like on TV. The pre-adolescents dare one another to be brave and shoot or simply show off that they they can handle a gun.

If the child is adolescent, the gun injury is probably either a suicide attempt or an assault. Very early in adolescence, by age 12 in many areas, our boys graduate from toy gun play to the real thing, aiming guns at themselves and one another with deadly outcome.

At each of these developmental stages, the presence of a gun in the child's environment invites behaviors that are appropriate to that stage of development. (It is important to remember that 15- to 19-year-olds are not adults, even when they think they are, look like adults and carry guns.) Unable to resist the temptation, children give in to the invitation to handle the gun, but what they get is not what they expected.

Another hat I wear is epidemiologist. The cases that I have mentioned to you cannot convey how many children are injured, only that each and every one is a tragedy. The larger tragedy is that there are so very many children who suffer gun-related injuries.

In 1987, gun injuries were the fourth leading cause of unintentional injury or death to children 14 and under. For inner city black adolescent boys and young men, firearm injuries are the leading cause of death. Many thousands of boys are carrying handguns to school daily.

In 1987, more than half of the 2500 murder victims ages 19 and under in this country were killed with guns. The adolescent suicide rate has tripled in the past three decades, making suicide the third leading killer of teenagers. Guns are the leading method used by teenagers to commit suicide.

With more than 30,000 overall firearm deaths each year in our country, a large and steadily growing number of American children are forced to confront the loss of gun-injured parents and other loved ones. More have parents and relatives who are temporarily or permanently damaged by gun injuries.

Firearm injury victims also include the children who unintentionally inflict firearm injury on others. The guilt they suffer is impossible to measure.

The greatest tragedy in the facts which I have presented is that firearm death and injuries should be among the most preventable of all childhood injuries. Were guns not so readily available, most of these deaths and injuries would be avoided because there is no other weapon type that is anywhere near as deadly as firearms.

A third hat that I wear is child advocate. That is what brings me here to speak to you today. The American Academy of Pediatrics has as its motto, "Speak up for children." We must speak up for children because most children cannot speak up for themselves.

According to a recent Academy survey of its fellows, one in six pediatricians across America treated a child for gun-related injuries within the past year. Two-thirds involved handguns and two-thirds of those occurred during unsupervised play with a gun found in the household. Based on their experience, three out of four pediatricians support more community efforts to enact gun control legislation. In my opinion, these will need to be multi-faceted, comprehensive and far-reaching.

The carnage caused by guns among children and adolescents occasionally receives media attention (today, in part, thanks to you). However, systematic and sustained attention to the problem has been lacking. Part of the reason for this is that data are generally unavailable specifically concerning the involvement of children in the gun epidemic, including unintentional as well as intentional injuries, fatal and nonfatal injuries.

Further, there is a lack of necessary detail, for example, about age and circumstances, in the data that are available. An example that came up already this morning is that we need to know where the guns are coming from, the illegal ones as well as the legal ones. Saying they are illegal doesn't tell us where they came from. The Academy urges Congress to take steps to ensure that detailed and current records are collected and kept so that the situation can be properly assessed and steps can be taken to end the maiming and killing of our children. Gunshot injuries should be reportable and investigated, just as cases of measles and AIDS.

The Academy will sponsor a two-day forum on children and guns later this summer to begin to generate other specific viable public policy options.

Pediatricians are prepared to support your leadership and that of this committee to ensure that further preventable firearm deaths and disabling injuries do not befall our children. No one can believe that the Founding Fathers, in crafting the 2nd Amendment, intended to leave American children as vulnerable to firearm violence as they are today.

Thank you for your attention.

[Prepared statement of Katherine K. Christoffel M.D., F.A.A.P. follows:]

PREPARED STATEMENT OF KATHERINE K. CHRISTOFFEL, M.D., F.A.A.P., FELLOW, AMERICAN ACADEMY OF PEDIATRICS, AND ATTENDING PHYSICIAN, DIVISION OF GENERAL AND EMERGENCY PEDIATRICS, CHILDREN'S MEMORIAL HOSPITAL, CHICAGO, IL

Mr. Chairman, my name is Katherine Christoffel, M.D., and I am a practicing pediatrician in Chicago, Illinois, where I serve on the medical staff of Children's Memorial Hospital. In addition, I am a Fellow of the American Academy of Pediatrics, and a member of the AAP Committee on Accident and Poison Prevention. The Academy, as you know, represents more than 38,000 pediatricians in the United States who are dedicated to the promotion of maternal, child and adolescent health. I especially appreciate the opportunity to appear before you this morning to discuss the growing problem of "children and firearms" in our society. The Select Committee is certainly to be applauded for focusing sharper public attention on this devastating area of childhood injury, which too often goes unmentioned. Under the "cloak" of Constitutional guarantees, our children are being hurt and are dying.

I hope this hearing will mark the beginning of the end for this disastrous situation. No one can believe that our Founding Fathers, in crafting the Second Amendment, intended to leave American children as vulnerable to firearm violence as they are today. Thousands of children carry guns to school each year; children have been killed in schools by handguns and in school yards by semiautomatic weapons; major urban trauma centers are reporting an increase of 300 percent in the numbers of children treated for gunshot wounds; young children are being shot in retaliation for the gang activities of their older siblings.

Because of these developments, pediatricians have come to believe that serious advocates for child safety cannot ignore the issue of guns.

At the outset, it should be noted that handguns are by no means the only threat to American children. For example, nonpowder firearms (air rifles and BB guns, etc.) are a category of weapon normally considered toys, but they are far too dangerous to warrant such a benign description. The ammunition--steel BBs, lead pellets or darts--can be fired with a velocity capable of penetrating skin and bone. Eye damage is a frequent and serious result. BB guns and pellet weapons are available by catalogue and in retail stores. They are advertised in magazines intended for pre-teen children. The sale and use of these products are loosely regulated. But the threat they pose to children must be taken in context.

And that context can be captured in a single word: handguns. Handgun injury remains a major cause of morbidity and mortality in American society, particularly among young persons. Large numbers of children are affected by handgun violence through the loss of fathers, brothers and other relatives. Young children are injured, and occasionally killed, in handgun "accidents." Some young children and many adolescents are murdered with handguns. Like infant mortality, handgun violence in the United States is a medical as well as a social problem. Because handguns are so lethal, and because of their very limited ability to provide personal protection, handgun injury in our judgment can best be reduced by making handguns less available. Handgun control cannot reduce rates of crime or interpersonal assault, but it can reduce the frequency and severity of injury arising from these situations toward the much lower levels found in other countries.

The lamentably heavy involvement of children in the United States handgun injury epidemic warrants the full involvement of pediatricians on their behalf--and the Academy is pledged to precisely that. We will sponsor a two-day forum on children and guns later this summer to begin to generate specific, viable public policy options; we will hold a full-scale roundtable debate of the issue at the American Academy of Pediatrics annual meeting in October; and we pledge to this committee that pediatricians will provide you with support to galvanize appropriate public attention--and action.

Surely it is high time. Our country is regrettably unique in the western world in both gun violence and in the lack of limitations on gun ownership and use. We have twice the number of gun homicides and suicides as has Latin America, nearly five times that of Canada and Europe. A resident of Seattle is five times likelier to be murdered with a handgun than is a resident of Vancouver, just 140 miles to the north.

And children are not spared. Ten American children ages 18 and under are killed every day in handgun suicides, homicides and accidents. Three or four times as many are wounded. One of every 25 admissions to American pediatric trauma centers is due to gunshot wounds. In 1987 gun injuries were the fourth-leading cause of unintentional-injury death for children ages 14 and under. For inner-city black adolescent boys and young men, firearm injuries are the leading cause of death. An estimated 135,000 boys carried handguns to school daily in 1987, and another 270,000 carried handguns to school at least once, based on a recent survey of 11,000 students. Nearly 8.7 million children and adolescents have access to handguns. Florida reported a 42-percent increase in gun incidents in schools during 1987-88, and 86 percent of the guns that were traced came from the students' homes. California schools reported a 43-percent increase in student gun confiscations in middle schools, and a 50-percent increase in high schools over the past three years.

With roughly 33,000 overall firearm deaths each year in the United States, a large and growing number of American children are forced to confront the loss of a gun-injured parent or other loved one. Added to this are the parents and others temporarily or permanently damaged by gun injuries. The impact of such trauma on children and their families has become too familiar to many pediatricians, particularly those of us who live in cities. In addition to the number of children who have suffered firearm death or injury at their own hands, we must also consider the children who accidentally inflict firearm injury to others--the guilt such a child would suffer for the rest of his or her life is impossible to measure.

In 1987 more than half of the 2498 murder victims ages 19 and under were killed with guns. An estimated 23,900 were assaulted with guns in 1985. In a study of 266 unintentional shootings of children ages 16 and under, 50 percent occurred in the victims' homes, and 38 percent in the homes of friends or relatives. In almost half the cases, the handguns used were most often found in bedrooms. Easy access to loaded guns in the home is probably the chief contributing factor in unintentional shootings of children ages 14 and under. Nationally, more than 25 million households own handguns, and about half of those surveyed admit to keeping them loaded. As a result, hundreds of times each year, children playing at home find a handgun, they explore or play with it, then the gun discharges and a child is seriously injured or killed.

When the youngest children are themselves the direct victims of handgun violence, it is occasionally deliberate; more often it is unintentional. In some instances the child is caught in the crossfire of an adult argument or robbery; more often a child gets hold of a gun that has been acquired by a family member as protection from assault, and plays with it, unaware that it is real and loaded. Since the purpose of buying the gun is poorly served if it is under lock and key, the tendency is to keep it readily accessible to deal with emergencies. That can--and does--spell tragedy for many American children, reared as they are with toy guns that are strikingly realistic in appearance.

The adolescent suicide rate has tripled in the past three decades, making suicide the third-leading killer of teenagers. Every 90 minutes, an American teenager commits suicide. Every three hours, a teenager commits suicide with a handgun. Guns are the leading method used by teenagers to commit suicide (60 percent), and nine out of 10 attempted suicides involving handguns are completed. It has also been reported that a suicidal teenager living in a home with an easily accessible gun is likelier to commit suicide than is a suicidal teenager living in a home where no gun is present.

In the study of fatal unintentional injuries, boys were usually both the victims (80 percent) and the shooters (92 percent). This pattern of male predominance is seen for all gun injuries. Gun play by young boys probably contributes to both firearm injury during childhood and also the acquisition of the "gun habit," which is deadly. When reality mimics fantasy, there may be danger. The visual similarities between toy guns, nonpowder firearms, and powder handguns and rifles confuse not only children, but adults as well. At times, children are fatally shot by police, who understandably suspect them of criminal firearm use when they are actually playing with toy guns. Colorful lightweight plastic handguns may soon be produced; based on manufacturer information, it appears that they would be marketed to women and others who have thus far avoided guns. These new toylike devices would compound perceptual confusion concerning which guns are real, and also increase the presence of guns in children's environments.

Fantasy of another sort contributes as well. Television and movies accustom viewers to high levels of violence by portraying the world as threatening, and depicting guns as solutions to interpersonal and societal problems. By presenting an implausible number of people surviving gunshot trauma with trivial results, the entertainment media minimize the dangers of gunplay and desensitize children and adults to the enormity of each death and injury.

But the price we pay is not fantasy at all. In addition to lives and anguish, firearm injuries cost money. The financial costs of nonfatal injury include those of medical care, legal and social investigations, and interventions. Interventions may include supportive services to the family, rehabilitative services or, in some instances, long-term institutional placement due to severe sequelae. In a recent study at the hospital where I work, the average hospital charges alone for 23 children hospitalized with powder firearm injuries was more than $10,000. The costs of fatal violence include as well forensic investigations, and the years of potential life lost to the victims.

In keeping with our commitment to children, pediatricians, now acutely aware of the deepening problems associated with children and guns, are prepared to act. According to a recent Academy survey of its Fellows, fully one in six pediatricians across

America has treated a child for gun-related injuries within the past year. Of those injuries, 66 percent involved handguns. Sixty-two percent of gun-related injuries occurred during unsupervised play with a gun found in the household. Three out of four pediatricians surveyed strongly agreed that community efforts to enact gun control legislation should be publicly supported, and a majority agreed that such measures would help reduce risks of injuries or death to children and adolescents.

Prevention of firearm injury can occur at any one of several points: manufacture/importation, sale/transfer, possession, and use. Of these, purchase and possession/storage are the ones most amenable to pediatric anticipatory guidance. Though its effectiveness has not been evaluated, counseling of parents would seem to be imperative if the household contains volatile or depressed individuals, young children, or pre-adolescent boys. Parents can be asked if they have or are thinking of acquiring a gun, and the risks associated with guns in the home reviewed. If guns are already in the home, and parents resist disposing of them, the need to keep guns and ammunition separate can be stressed.

Several other educational approaches to the primary prevention of firearm injury have been proposed, including advice to parents by physicians, training in hunting skills, and school-based programs on the dangers of guns. The hunting education approach is not promising, as most child and adolescent firearm injuries (including most unintentional firearm injuries) are not related to hunting. Cognitive approaches aimed at young children would probably be counterproductive, as the safety gains are likely to be minimal and any decreased adult vigilance (based on the presumption of such gains) hazardous. There is no evidence that public education alone--in or out of the schools--has any impact on gun violence.

Pediatricians and other physicians can play a useful role in seeking to reduce firearm violence. Their efforts can include education (both directly, by discussing the importance of firearm safety with parents, and indirectly, by conveying the same message to the public at large), advocacy (developing support for and testifying on behalf of gun control legislation), and support (providing expertise and pressure to assure that education and legislation can and will be translated into the desired protective actions).

The greatest tragedy in the facts which I have presented is that firearm deaths should be among the most preventable of all childhood fatalities. Were guns not so readily available, most of these deaths would be avoided. We cannot pretend otherwise. Some 4500 deaths, and between 13,500 and 22,500 firearm injuries, occur in this country each year, which we are asked to ignore because of strong--and strongly objectionable-- political pressures. American families devastated by the loss of their children to firearm violence deserve better leadership than that.

The carnage caused by guns among children and adolescents occasionally receives media attention. However, systematic and sustained attention to the problem has been lacking. Part of the reason for this is that there is generally unavailable data concerning the involvement of children in the gun epidemic, and there is a lack of necessary detail in the data that are available. The Academy urges Congress to take steps to ensure that proper records are kept, so that the gravity of the situation can be properly assessed and steps can be taken to end the maiming and killing of our children. Gunshot injuries should be reportable, just as are cases of measles and AIDS.

Pediatricians are prepared to support your leadership, and that of this committee, to ensure that further preventable firearm deaths and disabling injuries do not befall our children simply because we lacked the political courage to provide them the protection to which they are entitled.

Chairman **Miller**. Thank you.

Dr. Kleck.

STATEMENT OF GARY KLECK, ASSOCIATE PROFESSOR, SCHOOL OF CRIMINOLOGY, FLORIDA STATE UNIVERSITY, TALLAHASSEE, FL

Dr. **Kleck**. Good morning.

The topic of the hearing has changed a little bit since I was first invited to speak to it, so some of my written testimony, I would say, is irrelevant to this morning's proceedings, so I will skip on the portion that concerned assault rifles, which I was told earlier had been a concern. Briefly, the testimony indicated that the assault rifle problem was largely a media creation. There was neither a significant fraction of homicides or other crimes involving assault rifles, nor was there any indication of an increasing number of them.

So I will confine my comments to the other portions of the testimony which concerned gun violence among youth.

I was interested to hear Dr. Christoffel's testimony. I had not seen her written testimony before today, but it is characteristic of medical and public health writing and testimony on the subject. A lot of it is very vague and amorphous, slipping from discussions of gun accidents to suicides, to homicides, back and forth, talking about all gun fatalities without referring to what kind are being referred to.

Some statistics will refer to children, some to adolescents, some to the two combined. If you want to make figures look large, you include teenagers as if they are the same as children and so on.

We are told that gun accidents are the fourth leading cause of unintentional deaths among children. If I were to come to you and say that among fatal gun accident deaths, fatal gun accident deaths were the leading cause of death, you would think I was an idiot, but if you limit all deaths just to unintentional deaths, it is true, for what it is worth, that fatal gun accidents are among the leading causes of death, but the reality is they are extremely rare. Children are not the primary victims of fatal gun accidents. The primary victims are the same people who are the victims of intentional gun violence; that is, they are adolescents and young adults. They are people in the ages roughly between 15 and 29 or so.

Children rarely are the victims of fatal gun accidents, although you would not get that impression from media accounts because it is almost always regarded as, at minimum, a State wire service and often a national wire service story when such an event occurs. We are told this problem is an epidemic of gun violence of some sort. The reality is gun violence across the board has been declining in the United States, fortunately. This is a bright spot. I guess good news is not really news—under current news standards, but, in fact, both the overall homicide rates and the share of that homicide problem which is attributable to guns has been declining in recent years.

In particular, the rate of gun accidents has been declining over the years. It has declined dramatically. If you can call the problem an epidemic, despite the fact that the trend is going in the exact opposite direction and sharply downward, then the word loses all meaning. So what we have here is selective use of statistics, oddball, vaguely phrased claims. The reality is, for example, that the number of fatal gun accidents involving children in 1974, children under the age of ten was 227. By 1987, it was down to 92. That is a dramatic drop. Things are going down for one reason or another. You can quibble about why they are going down, but certainly that the problem is getting far less serious than before is indisputable.

Likewise, the homicide rate has been going down. The share of homicide which is committed by adolescents or children has declined sharply. Suicide has never been a significant problem of the very young; it is a problem of adolescence and basically the long-term trend in gun involvement among adolescent suicides has also been downward, generally speaking. There are little blips upward and downward in the trends, but no substantial long-term shift.

The estimated fraction of—zero- to 19-year-old suicides—well, the zero- to 19-year-old suicides who have used guns in their suicides was about 63 percent in 1979. It was about 59 percent in 1985. To the extent that there is any trend at all, evidently young people are preferring guns in suicides less than before.

There is no basis to indicate that gun control laws have been effective in reducing suicide, fatal gun accidents or homicides, either among young people or other people, although I would have to qualify that comment by noting very little of the research has been very solid. It is not good research, but it certainly isn't solid enough to hold out any great optimism about being able to reduce these problems through legislation.

Dr. Christoffel claims that gun accidents among children should be an easily avoidable source of childhood death and morbidity and I would suggest the exact opposite. The greatest progress in reducing death and morbidity among youngsters has almost always been in the areas of natural causes of death. There have been dramatic reductions in deaths due to all sorts of causes of death, but if you analyze even the statistics used to argue that legislation can somehow help this problem, we see that the characteristic kind of gun accident involving children involves a gun owned for defensive purposes. It is a gun owned for a very powerful reason. It is a gun owned by people who, rightly or wrongly, believe that their lives may depend on retaining that gun, and not only retaining it, but retaining it in a very dangerous condition; that is, loaded and unlocked.

It would be 100 percent effective advice, if people took it, to keep the guns unloaded and locked up separately from the ammunition or, to do even better than that, get rid of the gun altogether. It is indisputable there could not be any gun accidents without a gun or without a gun that is loaded. But that is not advice that people take and advice that people don't take is no better than advice which was bad.

The gun accident problem involves people living in low-income, high-crime areas who have a very realistic crime problem to deal with, and who accurately realize that they cannot rely on the police for personal protection, then, in their desperation, they turn to the use of guns, the ownership of guns.

It is not true that guns are useless for self defense. That is not what criminological evidence indicates, and therefore, people are not being irrational in acquiring guns for self defense. They are not real good as a crime-prevention strategy. There isn't much the criminal justice system does to prevent crime and there is probably only a rather modest effect of potential victims owning guns, but it is not useless. When people use guns for self defense, they, generally speaking, come out of it better than people who did not use guns for self defense. They are less likely to be injured and less likely to lose their property in crime incidents where they use a gun for self defense.

So given that people have a rational reason for keeping those guns around in their homes and will continue to believe, no matter what evidence indicates one way or another, that that is a good thing to do, the only kind of advice you can give people to prevent these kinds of tragedies from happening is advice they are willing to take, advice such as keep your gun with a trigger lock on it or some similar device. It is impossible to discharge a firearm, accidentally or intentionally, if you just keep the trigger lock on it. It is an absolute 100 percent effective way of preventing a gun accident, and yet it doesn't render the gun entirely useless for self defense. So that is advice that people can take and it is advice that might well have an impact on gun accidents, both among children and among older people.

There is a radio station in Florida which is giving away trigger locks this weekend to any gun owner, any parent who wants one. I suspect that is one of the most productive things that could be done to prevent these kinds of accidents.

Thank you.

[Prepared statement of Professor Gary Kleck Ph.D., follows:]

PREPARED STATEMENT OF PROF. GARY KLECK, PH.D., ASSOCIATE PROFESSOR, SCHOOL OF CRIMINOLOGY, FLORIDA STATE UNIVERSITY, TALLAHASSEE, FL

- Crime and vital statistics indicate that in recent years the homicide rate has been declining, and the share of these homicides which involve guns has also generally been declining. However, among youths (persons under age 20), the gun share of homicides has increased since 1984.

- There is no hard evidence to indicate that homicides involving so-called "assault rifles" has increased in recent years.

- It is probable that no more than one to two per cent of U.S. homicides in 1987 involved these weapons, and certain that less than five per cent did.

- Fewer than one per cent of U.S. homicides involve fully automatic weapons of any kind, whether machine guns or semiautomatic weapons converted to fire fully automatic.

- Of over 500,000 sworn police officers serving in the U.S. in 1987, 73 were feloniously killed, 66 of them with guns, nine of these with rifles, and, at most, seven with semiautomatic rifles and one with a fully automatic rifle. This total of eight is identical to the corresponding figure for 1982. There is no hard evidence of an increasing risk of death to police officers from these weapons.

- Cases of innocent bystanders being accidentally shot in gun battles between criminals, with any type of firearms, are extremely rare.

- The involvement of guns in youth suicide has been decreasing since 1979, except for a slight upturn from 1984 to 1985.

- Fatal gun accidents most commonly involve adolescents and young adults, as is true of intentional homicides, but rarely small children. Fatal gun accidents involving youths, as well as the all-ages total, have been declining for twenty years.

- The author supports a gun license law requiring anyone who would acquire or possess a gun of any kind to obtain a firearms owner's license, which would not be issued until the applicant had passed a thorough criminal records check. He considers the furor over assault rifles to be a minor "sideshow" issue.

I have been asked to testify about the involvement of guns in youth violence, and to present relevant statistical data, with special reference to semi-automatic rifles and fully automatic weapons. The bulk of the material to be presented has been adapted from a book I am writing on guns and violence.

Trends in Youth Homicide and Gun Involvement

I will begin by describing recent trends in youth killings, focussing on homicide data because those are widely regarded as the most reliable violent crime statistics available. Table 1 shows that the fraction of U.S. homicide arrests accounted for by persons under age 20 has been fairly stable since 1974, fluctuating between about 16 and 20 per cent. The overall (all ages) homicide rate per capita has generally declined since 1974; consequently, the rate of homicides committed by youths has also been declining. The youth homicide rate has recently increased since a low point in 1984, but is still well below the rate in 1974. (In this and later tables, 1987 is the last year referred to because the final 1988 FBI crime figures with gun type breakdowns had not yet been publicly released at the time this testimony was prepared.)

Table 1A shows the recent trends in youth involvement in violent crime in general (homicide, rape, robbery, and aggravated assault combined). The share of violent crimes accounted for by youth has apparently declined somewhat over the past fifteen years, presumably at least partly due to a corresponding decline in the fraction of the general population in the young ages. There has been little noteworthy trend in the per capita rate of youth violent crime in the last five years, although there has been a modest drop over the last fifteen years.

Going back to Table 1, it also presents figures on trends in the involvement of guns in homicides in general, and among youth homicides in particular. Since 1974, the relative involvement of guns in homicide (all ages combined) has steadily declined; the per cent of homicides which involved guns decreased from about 70% in 1974 to about 61% in 1987. Among homicides with victims under age 20, the per cent involving guns declined from 1974 to 1983 and then increased from 1984 through 1987, returning to roughly the same level as in 1974.

"Assault Rifles" and U.S. Homicides

Paramilitary semiautomatic rifles (PSARs), popularly known as "assault rifles," are shoulder weapons which can fire only one shot per trigger pull, but which feed another round into the chamber after each shot is fired (i.e. are "auto-loading"). They are directly derived or adapted from true assault rifles, which are military weapons capable of either semiautomatic fire (one shot per trigger pull) or fully automatic fire (multiple shots per trigger pull, firing for as long as the trigger is held down and there unspent ammunition). Semiautomatic rifles and handguns have been common civilian arms in the U.S. since before the First World War. PSARs differ from these earlier weapons only in appearance and in the fact that they were adapted from military assault rifles. Mechanically, unmodified PSARs are not significantly different from the semiautomatic firearms that have been popular since the early years of the century.

Gun sales overall have been declining since 1980, and rifle sales have been decreasing since 1976, based on domestic production and importation figures from the Bureau of Alcohol, Tobacco and Firearms (BATF) (U.S. BATF 1973-1983; Howe 1987). However, judging from their increasing prominence in gun stores and catalogs, PSARs have been gaining an increasing share of the rifle market in the past decade. For example, the well-known Shooter's Bible catalog did not advertise any PSARs in its 1974 issue (although many other semiautomatic guns were included), but devoted 13 pages to such weapons in 1987 issue. However, there are no national data on the number produced, sold or possessed (BATF does not break down rifle totals as to whether they are semi-automatic), so we cannot say how much of an increase there has been. They still probably constitute a minority of rifle sales, as suggested by the fact that there were 81 pages of the 1987 Shooter's Bible devoted to non-PSAR rifles, compared to only 13 for PSARs.

Table 2 shows that rifles have not been involved in a large share of U.S. homicides. To the extent that there has been any trend at all in this share in the past ten years, it has been generally downward. Both the number and per capita rate of rifle homicides has been decreasing. By 1987, only 4.9 per cent of U.S. homicides involved rifles of any kind; therefore, this would be the upper limit on the share of killings involving PSARs, even if all of the rifle killings involved such weapons. A reasonable estimate would be that, at most, perhaps a quarter to a half of these, or about 1-2 per cent of all U.S. homicides in 1987 involved PSARs. A more precise or authoritative estimate is not possible because the national homicide data gathered by the FBI do not differentiate subtypes of rifles.

For the same reason, it is impossible to say for certain whether the number of killings involving PSARs has significantly increased nationally in recent years. It may have done so, at least to some slight degree, but, not withstanding the steady flow of news media stories on PSAR-linked crimes, I know of no hard evidence to support such a claim. Since the share of homicides involving rifles of all types has declined slightly in the last ten years, in order for PSARs to claim any substantially growing share of homicides, one would have to assume sharply declining involvement of other types of rifles, if all of the figures are to be consistent.

While FBI data covering U.S. homicides in the general population do not differentiate killings by type of rifle involved, their data on a special subset of homicides do provide more detailed information of this sort. I refer to killings of police officers. It should be stressed that high powered weapons such as PSARs probably account for a larger share of police killings than of civilian killings because only the more powerful guns have a substantial liklihood of killing a person wearing body armor, as most police do. Table 3 shows the recent trends in weapon use in felonious killings of police officers. Out of over 500,000 sworn officers in the nation, 73 were feloniously killed in 1987, 66 of these involving guns, nine of them rifles. Killings involving semi-automatic rifles of any kind, paramilitary or otherwise, are clearly quite rare. Even if all killings involving rifles with calibers found in semiauto rifles did in fact involve semiauto rifles, there were at most eight such killings in the entire nation in 1987. One of these eight cases involved a fully automatic rifle.

Discussing trends in events this rare is probably not very meaningful, but for what it's worth, there is no indication of an increase in these kinds of killings in recent years - there were exactly as many in 1987 as there had been five years earlier. Since this is the period during which PSARs were growing in popularity, if they had increased the homicide risk for police officers, this is the period when it should have been evident. It is not. Table 3 also shows that the number of police officers feloniously killed has declined in recent years, as have the number involving guns and, more specifically, the number involving rifles. Handguns have always been the predominant weapon used to kill police officers, just as is true of civilian homicides (U.S. FBI 1988).

As to trends in PSAR involvement in youth homicides, there again are no national data which would permit any authoritative statement one way or the other. PSAR involvement in youth homicides is very likely at least as rare as in homicides in general, but whether this involvement is increasing is impossible to say.

In sum, although there is certainly greatly increased media and police attention being paid to semiautomatic rifles, the limited hard evidence available provides no reason to believe there has actually been any increase in violence involving such weapons.

Machine Guns and Weapons Converted to Fully Automatic Fire

The are no national data on crimes involving fully-automatic weapons (i.e. capable of firing multiple rounds with a single trigger pull), whether guns originally manufactured as machine guns or semi-automatic weapons converted to fully automatic fire. The best available information pertains to local areas like cities or counties. Miami/Dade County is an especially useful locale because it is an extreme "upper limit" case. It is located in a state with fairly lenient gun laws and is notorious for its extraordinarily high rate of drug trafficking activity and drug-related killings, with "cocaine cowboys" supposedly involved in almost daily machine gun battles on the streets. If fully automatic weapons claim a large share of homicides anywhere in the U.S., they surely should do so in Miami. The peak year for Dade County homicides was 1980, during which there were 569 killings. The share of these killings which were linked to drug-trafficking ("ripoffs," "burns," killings to control drug territory, fighting over drug proceeds, retaliation for previous drug-related killings, robberies of drug dealers, etc.) is extremely high in Dade County - 19.7 per cent, compared to only 1.7 per cent of U.S. homicides being related to "narcotics" that same year (U.S. FBI 1981). Nevertheless, according to the Dade County Medical Examiner, only one per cent of Dade County homicides involved a machine gun of any kind - 5 or possibly 6 cases out of 569 homicides (Tomb 1984). The corresponding fraction for the U.S. as a whole is thus very likely to be well below one per cent.

No one knows how many PSARs have been converted to fully automatic fire. It is certainly possible for a person with sufficient skills and equipment to do a conversion on almost any PSAR. However, there is no evidence that any significant number of conversions are done by criminals (or by others for them) or that any significant number of crimes are committed with such weapons. Indeed, there is not even any anecdotal evidence hinting that such events are common. Evidently criminals either stick with non-automatic fire or, in the case of criminals like drug smugglers, have access to true machine guns.

Stray Bullets and Innocent Bystanders

While some might dismiss the significance of PSAR and machine gun violence because so much of it appears to involve drug traffickers and other criminals killing one another, others stress the risk of innocent bystanders being shot as a result of indiscriminate, rapid-fire shooting in public places. Every ordinary citizen, it is argued, is at risk of being accidentally shot by a stray bullet fired from one of these weapons.

Such incidents do occur; however they appear to be extremely rare. Again taking Miami as a strong test case, I have examined narratives of 569 Dade County homicides in 1980, 410 of which involved firearms (see Wilbanks 1984, pp.193-374). I found only four incidents of innocent bystanders being accidentally shot, only one of these being drug-related. It is unclear from the case narratives whether any of the four involved an automatic weapon. None of the cases involved a youth - the youngest victim was 32. Thus even in a county which was probably the drug violence capital of the nation, cases of innocent bystanders accidentally killed in drug-related gun battles were virtually nonexistent.

Gun Involvement in Youth Suicides

Shooting is the most common method used in U.S. suicides, accounting for 60 per cent of suicides in 1985 (the latest year for which complete figures have been published). Children rarely commit suicide, but adolescents do (although not at as a high a rate as older people). Table 4 shows that older adolescents (age

15-19) are slightly more likely than average to use guns in suicide, while the small number of 10-14 year-olds are slightly less likely than average to use guns. However, there is very little pronounced pattern in gun use by age.

Table 4 also indicates that, after increasing in the 1970's, the fraction of suicides using guns levelled off at about 59 per cent in the early 1980's for the entire population, while among young people it has declined slightly from a peak of 63 per cent in 1979 to 59 per cent in 1985. There was a slight upturn in the per cent of youth suicides involving guns from 1984 to 1985.

Children and Gun Accidents

About five per cent of gun-linked deaths in the U.S. are fatal gun accidents (FGAs). The image of a small child finding his parents' gun and killing himself or a playmate is an emotionally powerful one. Such events are a common concern of advocates of stricter gun control, who lay special stress on the risks of gun accidents to children (e.g. Yeager et al. 1976, p.4). Accidents of this sort can more easily be blamed on the mere availability of guns per se, rather than to correctable problems with how they are handled, since all small children are assumed to be irresponsible by adult standards and therefore cannot be taught safety precautions with the same assurance of effectiveness as would be the case with teenagers or adults. It can be argued, then, that this sort of risk applies to all households with guns and small children, not just those with unusually irresponsible older persons.

Table 5 shows the distribution of FGAs by age of victim and gun type involved. Regardless of how "small child" is defined, it is clear that FGAs rarely involve small children. The victims of FGAs, like the victims and perpetrators of intentional homicides, are concentrated most heavily among teenagers and young adults. Only 122 children under the age of ten and 45 under the age of five were killed in accidents officially classified as FGAs. I estimate that handguns were involved in 61 of the deaths of children under the age of ten, and in 24 of those younger than five.

Table 6 shows the trends in U.S. FGAs. They have been steadily declining since 1967, and other than a brief but sharp upward turn around 1967, the long-term trend in FGA rates has been downward at least since 1940. This has been true even during periods of sharply increasing gun sales, like the 1967-75 period.

Table 7 shows the recent trends in FGAs with young victims. It indicates the same pattern as Table 5 did for total FGAs - the number and rate of young people dying in FGAs has been declining since 1974. This is especially pronounced for small children (under age 10). The only noteworthy exception to these general patterns was an increase among 5-14 year-olds from 1986 to 1987. It is too soon to tell if this signals a lasting reversal of the previous long-term downward trend.

The Author's Policy Preferences

In the interests of full disclosure, I am on record as supporting a gun license law similar to the sort Illinois has. In order to buy or otherwise acquire a firearm of any kind, either from a licensed dealer or from a private source, or to possess a firearm, a person would have to get a gun owner's license. The license would not be issued until a thorough criminal records search indicated no prior convictions for a felony or violent misdemeanor. I see little utility in registration of firearms, waiting periods (apart from the record checks usually linked with them), or added or mandatory penalties for committing crimes with a gun. Certainly there is no body of credible research indicating these measures reduce violent crime.

Regarding the intense current concern over semi-automatic rifles, in my judgement this is a minor sideshow issue, much like the debates over Teflon "cop-killer" bullets and plastic guns. The gun violence problem is almost entirely one involving ordinary handguns, rifles and shotguns of the sort that have been around for many decades and which are owned by millions of Americans.

Table 1. Recent Trends in Youth Homicides and Involvement

	Homicide Rate,	% Homicide Arrests,	Est. Hom. Rate,	% of homicides involving a gun		Victims
Victims Year	All ages	Age 0-19	Age 0-19	All Ages	Age 0-19	Age 10-19
1974	9.8	20.5	2.01	69.9	55.2	66.8
1975	9.6	19.9	1.91	67.7	52.1	65.0
1976	8.8	19.5	1.71	65.6	50.4	64.0
1977	8.8	19.5	1.72	64.3	48.3	60.9
1978	9.0	19.1	1.72	65.4	48.8	62.1
1979	9.7	19.1	1.84	65.1	49.8	60.6
1980	10.2	19.4	1.93	64.6	50.4	62.2
1981	9.8	18.2	1.79	64.5	49.5	62.9
1982	9.1	18.2	1.65	62.1	47.5	61.5
1983	8.3	17.4	1.44	60.2	45.7	60.5
1984	7.9	16.0	1.27	60.9	46.7	60.7
1985	7.9	17.4	1.38	60.9	49.2	64.0
1986	8.6	18.1	1.55	61.3	48.7	64.7
1987	8.3	20.0	1.65	61.5	53.0	68.3

Sources: U.S. FBI (1975-1988).

Table 1A. Recent Trends in Youth Involvement in Violent Crime

Year	% Violent Crime Arrests Under Age 15	% Violent Crime Arrests Under Age 18	Violent Crimes per 100,000 Total	Violent Crimes per 100,000 Under Age 15[a]	Violent Crimes per 100,000 Under Age 18[a]
1974	6.4	22.6	461.1	29.5	104.2
1975	6.5	23.1	481.5	31.3	111.2
1976	6.1	22.0	459.6	28.0	101.1
1977	5.7	21.0	466.6	26.6	98.0
1978	5.8	21.4	486.9	28.2	104.2
1979	5.2	20.1	535.5	27.8	107.6
1980	4.7	19.3	596.6	28.0	115.1
1981	4.8	18.5	594.3	28.5	109.9
1982	4.5	17.2	571.1	25.7	98.2
1983	4.7	16.8	537.7	25.3	90.3
1984	4.9	16.8	539.2	26.4	90.6
1985	4.9	16.8	556.0	27.2	93.4
1986	4.1	15.4	617.7	25.3	95.1
1987	4.3	15.4	609.7	26.2	93.9

Sources: U.S. FBI (1975-1988)

Notes:

a. These rates were calculated by multiplying the per cent of arrests which persons in a given age group accounted for, times the Total violent crime rate. They represent the the estimated violent crimes committed by persons in the indicated age group per 100,000 (all ages) population.

Table 2. Recent Trends in Rifle Homicides

Year	Total Homicides	% Homicides with rifle	Estimated Rifle Homicides	Est. Rifle Homicides per 100,000 population
1974	20710	5.3	1036	0.49
1975	20510	6.4	1231	0.58
1976	18780	6.4	1127	0.52
1977	19120	6.4	1147	0.53
1978	19560	6.4	1250	0.57
1979	21460	5.7	1221	0.55
1980	23040	5.7	1304	0.58
1981	22520	5.3	1194	0.52
1982	21010	5.8	1216	0.53
1983	19310	4.9	946	0.40
1984	18690	5.0	934	0.40
1985	18980	5.2	987	0.41
1986	20610	4.6	948	0.39
1987	20100	4.9	985	0.40

Source: U.S. FBI (1988)

Notes: Published FBI figures have been adjusted to correct for the fact that their "% rifle" computations failed to exclude homicides where the weapon type was not stated, thereby effectively treating them as if they were all non-rifle cases, a possibility which is highly unlikely. The numbers reported above derive from a procedure whereby homicides involving firearms where the gun type was unstated were allocated proportionally across gun type categories and homicides with unknown weapon types were excluded from computations.

Table 3. Law Enforcement Officers Killed, By Weapon Type

Year	Total Killed	With Guns	With Rifles	With Rifles of Possible Semi-auto caliber[a]
1982	92	82	17	8
1983	80	74	12	8[b]
1984	78	66	9	2
1985	78	70	3	3
1986	66	62	8	c
1987	73	66	9	8[d]

Sources: 1982 to 1987 issues of Law Enforcement Officers Killed and Assaulted (U.S. FBI 1983-1988).

Notes:

a. These are rifles with calibers that semi-automatic rifles can be found in (.22, .223, .308 (7.62 mm), 9 mm rifles, where caliber was not reported), regardless of whether they had a military appearance or lineage.

b. Includes one case of a fully automatic .45 caliber submachinegun.

c. Data missing because relevant report was not available to author.

d. One of these eight cases involved a fully automatic .223 caliber rifle.

Table 4. Recent Trends in Gun[a] Use in Suicides Involving Young Victims

	Age							
	10-14		15-19		0-19[b]		All Ages	
Year	Total	% Gun	Total	% Gun	Total	% Gun	Total	% Gun
1974	187	50.3	1489	59.9	1677	58.8	25683	55.9
1975	170	51.2	1594	60.0	1764	59.2	27063	55.0
1976	158	41.1	1556	58.5	1719	56.8	26832	54.9
1977	188	48.9	1871	62.6	2061	61.3	28681	56.1
1978	151	58.9	1686	62.9	1839	62.5	27294	56.4
1979	151	55.6	1788	63.5	1940	62.9	27206	57.2
1980	139	56.1	1797	63.1	1939	62.6	26869	57.3
1981	163	55.8	1770	63.3	1937	62.6	27596	58.5
1982	198	57.0	1730	63.2	1930	62.5	28242	58.6
1983	195	52.8	1677	62.4	1882	61.1	28295	58.7
1984	225	51.1	1692	58.9	1924	57.9	29286	58.4
1985	275	50.5	1849	60.4	2127	59.1	29453	59.0

Source: U.S. NCHS (1977-1988).

Notes:

a. For 1978 and earlier, the figures include a small number of suicides by explosives. Only seven of 15,558 "firearms and explosives" suicides in 1979 involved explosives.

b. Figures in this column include a small number of suicides under age ten, not shown separately because there are usually fewer than a half dozen each year.

Table 5. Fatal Gun Accidents by Age of Victim and Gun Type, U.S. 1980

	Gun Type						
Age	Handgun	Shotgun	Hunting Rifle	Military Firearms	Other (flare)	Unspec.	Total
under 1 month	0	0	0			1	1
1-11 months	1	0	0			1	2
1 year	1	2	0			1	4
2 years	3	2	1			1	7
3	4	1	2			11	18
4	4	2	1			6	13
5-9	17	13	7			40	77
10-14	25	46	17			106	194
15-19	58	50	28		1	237	690
20-24	47	39	17		1	227	331
25-29	34	26	15			166	241
30-34	38	21	9			106	174
35-39	17	12	6			72	107
40-44	4	11	3			64	82
45-49	4	13	8			57	82
50-54	11	7	1			33	52
55-59	7	9	5			34	55
60-64	5	7	4			29	45
65-69	6	6	3			25	40
70-74	0	4	1			16	21
75-79	1	6	1			13	21
80-84	1	4	0			7	12
85-89	1	2	0			1	4
90-94	0	0	1			0	1
95 and over	0	0	0			0	0
not stated	0	0	0			1	1
Total	289	283	130	0	2	1255	1959

Gun Accidents by Gun Type, age groups, children only

		Gun Type		Known to be	Estimated
Age Group	Total	Type unknown	Type Known	Handgun	Total Handgun
under 5	45	21	24	13	24
5-9	77	40	37	17	37
10-14	194	106	88	25	55
under 10	122	61	61	30	61
under 15	316	167	149	55	116

Notes: Military firearms includes army rifle and machine gun. Hunting rifle includes any nonmilitary rifle, but not air rifles or BB guns. Handgun includes pistols and revolvers. Age refers to age at last birthday (except for infants) of victim.

Source: Analysis of the Mortality Detail computer tape for 1980, National Center for Health Statistics (1983).Table 6. Trends in Fatal Gun Accidents, U.S. 1940-1982

Table 6. Trends in Fatal Gun Accidents, 1940-1985

Deaths Due to Accidental Discharge of Firearm

Year	Total	Self-inflicted*	(%)	Other-inflicted and Unspecified	Rate per 100,000 Resident Population	Firearms Owned per 1000 pop.
1940	2390				1.80	n.a.
1945	2454				1.84	N.a.
1950	2174				1.43	381
1955	2120				1.28	308
1960	2334				1.30	431
1965	2344				1.21	462
1967	2896 (peak)				1.47	492
1969	2309	568	(25)	1741	1.15	532
1970	2406	523	(22)	1883	1.18	549
1971	2360	524	(22)	1836	1.14	567
1972	2442	538	(22)	1904	1.17	588
1973	2618	516	(20)	2102	1.24	610
1974	2513	512	(20)	2001	1.18	637
1975	2380	520	(22)	1860	1.10	657
1976	2059	448	(22)	1611	0.95	678
1977	1982	450	(23)	1532	0.90	697
1978	1806	384	(21)	1422	0.81	716
1979	2004				0.89	720
1980	1955				0.86	736
1981	1871				0.82	753
1982	1757				0.76	767
1983	1695				0.72	---
1984	1668				0.71	---
1985	1649				0.69	---

Sources: Deaths- U.S. National Center for Health Statistics (and predecessor agencies), 1943-1984; Population estimates- U.S. Bureau of Census, 1983b:6; Guns owned- Cumulation of production and import figures, Kleck (1984:112) and Trends (1984:26-29).

Note: This table indicates 1,955 fatal gun accidents for 1980, a count of resident deaths only, to maintain comparability with other years. All other tables cover all deaths, including four nonresident deaths, for a total of 1,959 fatal gun accidents.

*Gun accident deaths were separately classified as self-inflicted only while the eighth revision of the International Classification of Diseases was in use, 1969-1978.

Table 7. Recent Trends in Fatal Gun Accidents Involving Young Victims

Year	Victim Age 0-4	5-9	10-14	15-19	Total 0-19	Total, All ages
1974	85	142	305	476	1008	2513
1975	71	120	304	428	923	2380
1976	61	104	263	362	790	2059
1977	48	104	240	390	782	1982
1978	52	87	210	320	669	1806
1979	57	87	220	354	726	2004
1980	45	77	194	373	689	1955
1981	51	64	183	306	604	1871
1982	44	81	154	271	550	1756
1983	40	45	158	261	504	1695
1984	34	66	187	265	552	1668
1985	43	58	177	241	519	1459
1986[a]	30	47	143	252	472	1600
1987[a]	30	62	188	201	481	1400

Sources: U.S. NCHS (1988 and earlier); Miller (1989) for 1986 and 1987 figures.

Notes:

a. These are preliminary figures, rounded to the nearest ten and provided by the National Safety Council (NSC). NSC groups 5-9 and 10-14 year olds together, and 15-19 and 20-24 year olds together, so counts for the categories used above were produced by allocating the NSC counts across the separate age categories in accordance with the more detailed age distribution data available from NCHS for 1985. For example, 24.7 per cent of 5-14 year-old cases were in the 5-9 group in 1985, so the NSC-supplied figure for 5-14 of 190 deaths in 1986 was multiplied by 0.247 to yield an estimated 47 5-9 year-old deaths in 1986.

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Chairman Miller. Thank you.

Colonel.

STATEMENT OF COL. LEONARD SUPENSKI, CHIEF, CRIME PREVENTION BUREAU, BALTIMORE COUNTY POLICE DEPARTMENT, BALTIMORE, MD

Col. Supenski. Good morning, Mr. Chairman, members of the committee. I am Colonel Leonard J. Supenski, from the Baltimore County Police Department's Crime Prevention Bureau, which I command. This Bureau, by the way, encompasses all of the youth services, crime prevention, crime reduction, police athletic, drug abuse resistance programs and community services.

I thank you this morning for the opportunity to speak to the committee on the impact and the effect of firearms in our community and on law enforcement, and more importantly, what can be done to mitigate these destructive capabilities.

Let's make it clear, and I want to emphasize, Dr. Kleck's testimony notwithstanding, that we are talking about firearms of violence and not just criminal use, but noncriminal violence as well, violence associated with firearms' misuse and abuse, accidents, suicides, et cetera.

First of all, let's face it, we love our guns in this country, especially handguns. Don't believe it? Watch television, go to the movies. I defy you to watch two hours of TV and not see the gun as a prominent tool or prominent part, a leading part, in many cases. The same thing in the movies. Any three out of five.

Guns are everywhere in our society. Adults collect them, they want them to protect themselves. Recreational shooters—and by the way, I am a recreational shooter, a former NRA member and owner of several firearms and a parent of a 14-year-old boy. They use them legitimately.

Children want them to impress other kids. Guns are magnets to kids. It is cool. "It is cool to carry," as they say.

Because of this, the demand for firearms has grown dramatically in this country and the supply has more than kept pace. In this country today, approximately, we have 60 million handguns, and growing; 140 million rifles and shotguns, mostly in suburban and rural areas, and growing; a million assault weapons, with the potential for more growth. That is over 200 million personally owned firearms in this country, the world's largest private arsenal.

One out of every two households has at least one such weapon. Handguns are now an urban phenomena. General firearm ownership is heaviest in rural and suburban areas.

Most of these weapons, and particularly handguns, are purchased not for sporting use, but for protection. Manufacturers, following the demographics, have now aimed their sales to women, who head up most single-parent households. That is about one-quarter of their new markets.

One handgun is manufactured every 19.5 seconds. With that many weapons around, something is bound to happen and it has. 150,000 handguns are stolen each year. That is about 700 a day, of which we get back less than 10 percent.

Let's face it, the bad guys get their guns from the good guys. We supply—we supply the black market. Drugs haven't created a black market for guns; a ready supply of stolen guns is the reason why we have a black market. The more guns, the bigger that black market.

About 25,000 people each year die in this country from firearms-related deaths; many, many thousands more are injured, and the statistic that I got into this business because of is that one child under 14 years of age in this country dies each day from an accidental handgun shooting and that is an abomination.

As a handgun owner and user and shooter, I am telling you that that is almost criminal.

Purchased for protection, the safety they provide is indeed paradoxical. Pathetic, isn't it?

The Zimmering study in Chicago, where he talked about people who resist robberies, the reason why people buy guns, is an interesting result. What we find is that those people who resist robberies are 49 times more likely to be killed than those who don't. That is some protection, isn't it?

Two-thirds of all teen suicides, the second leading cause of death between 13 and 18 years of age, are by handguns. If you are black, then homicide replaces suicide as the second leading cause of death and you have about a one in 400 chance of not even seeing your 40th birthday. That's tragic, isn't it?

What we have heard before is that these statistics aren't really significant.

Dr. Cristoffel painted a real picture of tragedy. Dr. Kleck would have us believe that it isn't so bad. Unfortunately, the gun lobby continues to use their statistics like a drunk uses a lamppost, for support, not enlightenment.

The problem is isolated only in certain areas of this country, we have heard. Is that right? Wrong. I come from a typically large suburban area, Baltimore County, to your north, 610 square miles in size, population of 670,000 people, 80 percent white and we have everything in there from the heavy industry to horse country within our borders.

However, let me tell you just about a recent 10-month period in Baltimore County. Forty-four people with handguns are killed, about one a week. Two hundred and fifty-eight people are assaulted with handguns, about one a day. Five hundred and twenty-nine robberies with handguns, about two a day. Twenty-seven attempted robberies with handguns, 16 rapes with handguns, 14 people accidentally shot with handguns, 365 handguns were stolen. That is typical of a suburban county. This is where everybody moves from when they are trying to leave the problems in the urban area and it is getting worse. The saddest part is those statistics are typical. They are repeated all too often across the country. So is the impact.

Communities suffer; fear is pervasive. Trust and belief in your neighbors is gone. People who are frightened insulate themselves. They don't talk to the police or anyone, for that matter. They retreat behind their bolted doors. It is frustrating to police. We find it very hard to help.

Nothing is spared. Our schools are no longer safe havens. They are armed camps. Metal detectors are beginning to become standard operating procedure. Intrusive searches are commonplace. Armed police patrol outside, armed guards inside. The fist fights of ten years ago are gun fights of today.

Orwell, at his best, could not have envisioned anything more frightening.

As an aside, in my own county, again this typically suburban county, the last two students that we have had in our school system expelled for carrying handguns were sixth-graders and they didn't get them from the black market; they got them from home.

Doors are chained and locked not to keep students in, but to keep armed violence out. Parents dread a phone call from the principal, not because their child has failed out, but because he was carried out.

The neighborhood is even more dangerous. Gang fights have proven deadly not only to the participants, as we heard the young lady say earlier today, but to bystanders who are caught in this deadly crossfire.

A location which is no longer confined to the urban alley and back street, it is now in the suburban mall and in the Main Street. A recent Justice Department study, 1988, said that most violent crime now is committed in rural and suburban West, about 30 percent of it, not the heavily urban Northeast, about 19 percent of it. By the way, that just happens to be where you have the heaviest amount of gun ownership.

Knives are out. Nine-millimeters are in. Clubs have been replaced by Colts; bats by Berettas. Death is automated, fast and indiscriminate. State of the art weaponry proliferates. Technology seems to be running amok.

Law enforcement must deal with this carnage. Daily, we walk through the blood. We live with guns. We kill with guns. We are killed by guns. I am here to tell you that there is no group in this country that better knows the impact of misuse of firearms, criminal and otherwise, than police do.

This is not to say that the situation is hopeless. Drug-related crimes can decrease, but they can decrease only if we attack the demand side as well as the supply side. Stronger penalties, yes, they will help, but they are always after the fact, after the funeral.

What we need are reasonable controls on firearms, and I say "reasonable means," backed with realistic education aimed at reducing firearms misuse, abuse and violence. That is why in Baltimore County, we created our Handgun Violence Reduction Program. We launched it after two years of planning in May of 1988 and we hope we are going to reduce handgun violence by increasing awareness of the dangers of handguns among the handgun-owning public, those who don't own a handgun, but who would like to own a handgun or who are thinking about it, and those who do not own one and have never thought about it one way or another.

This program is an intensive 33-month education campaign that focuses on these three segments.

Handgun owners: basically what we are talking about is safe, responsible ownership. Dr. Kleck was right when he talked about you could save a lot of lives if you only used a lock, but most people don't even think about that? Why? Because most people who buy primarily handguns don't even think about what responsible ownership entails. It is fear that drives them and it is fear that says to them, "If I buy this gun and take it home, I'm going to be safe." It is like a talisman. I put around my chest and it is going to ward off evil spirits. Unfortunately, it doesn't quite happen that way.

Most of the people who own handguns today, about 80 percent, don't know the muzzle from the hammer. They buy it; they load it; they take it home; they stick it in the drawer. That is it. It is accessible; it is ready, and when you are talking about unintentional firearms violence, suicides and accidents, the key indicator is the readily available, accessible loaded handgun in the home.

The second phase of the program deals with risk and responsibility of handgun ownership, including legal, psychological, and practical ownerships. It asks potential buyers, "Have you really thought the decision through?" Most people never consider, never consider what gun ownership means. For instance, they never ask themselves the key question, "Can I kill somebody?" "Sure," we say, "no problem. If my life is threatened, I can kill someone."

Let me tell you something, 75 percent of all cops who kill someone in the line of duty are off this job in five years because they couldn't handle the trauma associated with taking someone's life. And we train them and we screen them psychologically for that. How much more so somebody who has never even thought about it or, worse yet, "I don't want. to kill anybody, I just want to scare them. I'll shoot them in the hand and I'll wound them." They should be that good.

Most people never even ask themselves, "Can I skillfully use a weapon?" A handgun is the most difficult firearm to master and I have been at it for 30-some years and I can attest to that as a certified marksmanship instructor.

They never ask about the laws. How many times have you heard, "Well, if you shoot them, drag them back in"? Makes a lot of sense, doesn't it? Let me tell you something, the make-my-day attitude won't, not legally. You will lose everything in terms of liability that you were trying to defend, if, indeed, you don't lose your own life.

Now, let's talk about the last phase, because that is really the reason why we are down here and that is guns and kids. We have developed, through the cooperation of the Baltimore County School Systems, a comprehensive K through 12 effort to reach our kids, and basically what we are trying to do is to educate parents by educating the kids first.

In phase one, when you talk about locks, that is wonderful. That is child-proofing the gun. That works really good. It does, it really works well. But what about when it is your kid in somebody else's house with somebody else's gun? How many of us have ever asked, "The home that my children visit, is there a gun there? Is it accessible? Is it loaded? Can they get their hands on it?"

I will tell you something, I have been in this business for 25 years, been around guns 30 years, and never thought about that, never thought about it. That is what we want kids to start thinking about.

The usual scenario, two kids, a basement, a rainy day, a 22 and a funeral.

We want to talk about alternatives to violence, especially kids using guns. It is not enough to tell kids that guns are wrong because guns have legitimate and illegitimate purposes. You have to acquaint them with the reality of their actions. Kids believe they are immortal. They don't think about death. They never do.

But what we want them to start thinking about is consequences of their stupidity in many cases and, more importantly, what happens when they use the gun as their first resort. There are options to resolving conflicts short of seeking use of a handgun. Not in our popular entertainment. There the first and almost exclusive method of resolving complaints is pull a gun out.

So hopefully what we are going to do is gun-proof our kids and the last thing we want to do is get a message across and we will do this in the schools and outside the schools using public service messages, and that is to try to get the message across that the young lady first spoke about earlier when Detra talked about why kids want to carry guns. The message we want to deliver is it is not cool to carry. There are consequences attached.

The CHAIRMAN. May I ask you to sum up here, because I want to make sure we have time for other witnesses.

Col. SUPENSKI. You just have my testimony.

[Prepared statement of Col. Leonard J. Supenski follows:]

PREPARED STATEMENT OF COL. LEONARD J. SUPENSKI, CHIEF OF THE CRIME PREVENTION BUREAU OF THE BALTIMORE COUNTY POLICE DEPARTMENT, BALTIMORE, MD

Good morning, Mr. Chairman, and members of the Committee. I am Colonel Leonard J. Supenski, Chief of the Crime Prevention Bureau of the Baltimore County Maryland Police Department. On behalf of Chief Cornelius J. Behan, I thank you for the opportunity to speak to the Committee about 1) the impact and affect of firearms on our communities and on law enforcement and, 2) what can be done to mitigate their destructive capabilities.

Let's face it - we love our guns! Especially, handguns. Don't believe it? Watch T.V. Go to the movies. Guns are everywhere in our society. Adults collect them (They "get 'em to protect them"). Recreational shooters use them legitimately. Children want them to impress other kids - it's "cool to carry" as they say. As a result, demand for firearms has grown dramatically. In the United States - there are approximately:

- 60,000,000 handguns
- 140,000,000 rifles and shotguns
- 1,000,000 assault weapons

With over 200,000,000 personally owned firearms, America represents the world's largest private arsenal. One out of every two households have at least one such weapon. Handguns are now an urban phenomenon. Most are purchased not for sporting use, but for "protection." Manufacturers follow the demographics. Twenty-five percent of all new sales are to women, most of whom head up single parent households. One handgun is manufacturered every 19½ seconds. With that many weapons around something is bound to happen - and it has:

- 150,000 handguns are stolen each year. About 700 each day. Less than 10 percent are recovered. The bad guys get their guns from the good guys. Ironic, isn't it?

- About 25,000 people die each year. Many thousands more are injured. One child under 14 years of age dies each day in this country from an accidental handgun shooting. Purchased for protection, the safety they provide is indeed paradoxical. Pathetic, isn't it?
- Two-thirds of all teen suicides (the second leading cause of death of those between 13 and 19 years of age) are by handguns. If you're black, then the homicide replaces suicide as the second leading cause of death and you'll have a 1 in 400 chance of not seeing your 40th birthday. Tragic, isn't it?

Is this problem isolated to only certain areas of the county? No. I come from a typically large suburban area. Baltimore County is 610 square miles in size. It has a population of 670,000 people. It is 80 percent white and has everything from heavy industry to horse country within its borders. However, in Baltimore County, in a recent ten month period, there were:

- 44 people killed with handguns (about one a week)
- 258 people assaulted with handguns (one a day)
- 529 robberies with handguns (two a day)
- 27 attempted robberies with handguns
- 16 rapes where a handgun was used
- 14 people accidentally shot with handguns
- 365 handguns were stolen/ 36 recovered/ (9.86 percent)

The saddest part is that these statistics are indeed typical . . . all too typical.

So is the impact. Communities suffer. Fear is pervasive. Trust and belief in your neighbors is gone. People who are frightened insulate themselves. They don't want to talk with the police or anyone for that matter. They retreat behind their bolted doors. It's frustrating to police. We find it hard to help.

Nothing is spared. Our schools are no longer safe havens - they are armed camps. Metal detectors are standard operating procedure. Intrusive searches are commonplace. Armed police patrol outside . . . armed guards inside. The fistfights of 10 years ago are the gunfights of today. Orwell, at his best, could not have envisioned anything more frightening.

Doors are chained and locked not to keep students in, but to keep armed violence out. Parents dread a phone call from the principal not because their child has failed out but is carried out.

The neighborhood is even more dangerous. Gang fights prove deadly not only to participants but also to innocent bystanders caught in the deadly crossfire . . . a location which is no longer confined to the urban alley and back street. It is now in the suburban mall and Main Street.

Knives are out. 9mm's are in. Clubs have been replaced by Colts, bats by Berettas. Death is automated, fast, and indiscriminant. State-of-the art weaponry proliferates: technology runs amok.

Law enforcement must deal with this carnage. We walk through the blood on a daily basis. We live with guns, kill with guns and are killed with guns. No other group in America knows the impact of guns as well as police do.

This is not to say that the situation is hopeless. Far from it. What we need are reasonable controls on firearms backed with realistic education aimed at reducing firearms misuse. That is why we created our Handgun Violence Reduction Program (HVRP). Launched in May, 1988, HVRP will reduce handgun violence by increasing awareness of the dangers of handguns among the handgun owning public and non-handgun owning public. The program is an intensive 33 month education campaign that focuses on three specific segments of the public, broken down as follows:

Phase I - Handgun Owners

- Emphasizes safe usage, maintenance, and storage in the home to prevent injury and theft.
- Provides suggestions for "child-proofing" handguns and information on the legal issues and liability surrounding ownership and use.

Phase II - Potential Owners

- Emphasizes risks and responsibilities of handgun ownership, including legal, psychological, and practical issues of ownership.
- Asks potential buyers, "Have you really thought through the decision to purchase a handgun?"

- Provides options to handgun ownership for personal, home, and business security. We must explode some myths, so intelligent choices can be made. We must deal with the real issue underlying escalating weapons sales - fear.

Phase III - Non-Owners: Guns and Kids

- Comprehensive K-through-12 effort between Baltimore County Schools and police.
- Educate parents through their children (much as we did with seatbelts and smoking).
- Emphasizes dangers arising from misuse of handguns.
- Discuss alternatives to violence, especially kids using guns.
- A definite message that it is not "cool to carry."
- Provides information on "gun-proofing" children.
- Works in two environments: the school and outside of school by selected (PSAs, Ads) messages in various media.

The program is not a gun control measure. It is not a gun ban action. It is not a confiscation plan. It is not a discouragement of the recreational use of firearms. It is not anti-gun. It is a program about saving lives and reducing handgun injuries.

Children and guns is not something about which only Baltimore or Washington, D.C. or New York City or Los Angeles need be concerned. We all must be.

We don't view our program as a panacea. Change will not take place overnight. We are currently in the position with handguns that we were with smoking 30 years ago. For my generation, it was "cool" to smoke. For this generation, it is "cool to carry" handguns. Education changed our thinking on smoking. If we can change the current thinking on handguns, that frame of reference, there may be a generation after this one.

Thank you for your interest and your concern with this issue.

Chairman MILLER. Thank you. Thank you.

Dr. Scalea.

STATEMENT OF THOMAS SCALEA, M.D., DIRECTOR, TRAUMA AND CRITICAL SURGICAL CARE, KINGS COUNTY HOSPITAL, BROOKLYN, NY

Dr. SCALEA. Good morning. A number of the things that I had thought about talking about have been said already, so I will keep things very brief.

My name is Tom Scalea and I run the trauma services and the surgical intensive care services at a place called Kings County Hospital, which is one of the big municipal hospitals in Brooklyn.

It has been interesting to us that while this has just recently become an issue of national importance, it is something that we have been talking about in our conferences and actually in our research for the last few years. With all due respect to dispassionate statistics, I can tell you that in the 15-month period that encompassed the year 1988 and the first three months of 1989, we took care of 800 people under the age of 24 that had been shot.

When we broke that down by age, about 150 of them were 18 years and younger, and I think that represents a substantial problem. Or at least it represents a substantial problem in Brooklyn, New York.

The other part that I think is really very pertinent is that not only are the numbers up or the numbers that we are seeing up, but the kinds of injuries that we are seeing are very much more serious. It is my opinion that that is directly related to the increase in drug violence. I would estimate—and this is just a guess—that about 40 percent of the violence that we see in people under 25 years of age is drug-related violence.

It has become big money. It is organized in Brooklyn, the so-called Jamaican Mafia that is responsible for the trafficking of a good bit of the crack that comes into the eastern United States.

The enforcers on the streets who are sometimes very young are carrying high-caliber, high-velocity weapons. Recently in New York, there was a big spread in the Times that the people on the street outgun the cops. The cops couldn't compete with the firepower that the people were carrying on the streets.

These create significantly more serious injuries and I can tell you that recently, I took care of a kid that was involved in a drug deal that went bad, and got shot at close range with a sawed-off shotgun. We took out the better part of the organs in his right upper quadrant. He was in the hospital for two and a half months, in the ICU for six weeks, and he had six major operations before he left the hospital. That is actually something that has become relatively routine for us.

Because of the politics of trauma, that is, that it is basically a disease of young people, where the bulk of people come from the indigent areas, a lot of the medical care and most of the large volume trauma services across the country are located in municipal hospitals. Money is always a concern.

The cost of trying to practice medicine there goes up tremendously and taxes the limited resources. We have a 14-bed ICU. During the summer, somewhere between 10 and 12 of those beds are occupied by trauma patients. It is not unusual to come in on Monday, after a busy weekend, and find out that there isn't a bed in the emergency room because we can't get the people out of the ER up to the beds on the floor because there aren't any floor beds.

It makes it very difficult to deliver care to people that aren't trauma patients. We routinely admit patients for elective surgery and send them home because I have bumped their cases with emergencies. The thing that is perhaps the most ironic is now with the new insurance regulations, the insurances companies are penalizing the hospitals and the physicians because we admitted patients and didn't deliver care because we couldn't get the patients into the operating room.

We have—I am happy to say, we have never denied emergency medical care to anybody because we didn't have enough people or enough resources. However, at the end of last summer, I have a distinct memory of running down to the emergency room and seeing a 14-year-old girl brought into the emergency room that had had a transthoracic gunshot wound and had no blood pressure. We didn't have a stretcher to put her on because the ER was so busy and we have ten beds in our major trauma receiving area. This was at 7:00 p.m. on a weekday.

We put her on the floor; I laid down next to her to intubate her, picked her up, ran out into the hall, grabbed a stretcher that had just returned so we could take her up to the operating room.

Working under those conditions places an increasing emotional and physical burden on the staff of the hospital. Providing quality medical care in that setting has always been a challenge at best. The added numbers that we are seeing are putting an incredible tax on an already maximally stressed system and unless there is some relief, it is only going to get worse and it can only get so much worse.

I think the last thing I will say is that the summer of 1988 was far and away the busiest and most violent summer that I saw in Brooklyn. It is the perception of virtually everybody—I was talking to the head nurse in the emergency room—that we haven't seen anything yet. The summer of 1989 is going to be, in fact, much worse. I am not sure that we are going to actually have the resources to care for all of those patients.

Thank you for your time.

[Prepared statement of Thomas Scalea M.D., follows:]

Prepared Statement of Thomas Scalea, M.D., Director of Trauma and Critical Surgical Care, Kings County Hospital, Brooklyn, NY

Firearm injuries in young people have been increasing at an alarming rate. While this has only recently become an issue in the National Press, those of us who work in the area have recognized this trend for a number of years.

Over a recent 15 month period, we treated over 800 patients at Kings County Hospital under 24 years of age who sustained injuries from gun shot wounds. This represents a two fold increase in the rate from a similar period just 5 years ago. In addition, the percentage of young people we treat who have sustained a penetrating mechanism of injury, as gun shot wounds or stab wound, has also greatly increased over the past few years.

During the same period of time the severity of the injuries we are treating in these patients has also worsened I think that this is due to a substantial change in the ballistics that we are seeing on the street. This has resulted in a marked increase in both the number and severity of injuries that we see in any individual patient. For instance, five years ago we performed on average of 1-2 emergency department thoracotomies per week, a procedure that is used as a final salvage maneuver in a patient in extremes. We are currently performing an average of 4-5 of these procedures per week.

It is my opinion that this increase in injury severity is directly related to the increase drug trafficking in the area that we serve. Brooklyn currently is the conduit for a large proportion of crack that is brought into the Eastern United States. As the potential income from drugs has increased, the level of organization and sophistication of drug sales has likewise increased. There are now large numbers of organized drug enforcers on the streets to protect truf and collect money. They are armed with high caliber, high velocity weapons. As many young people are involved in drug deals in one manner or another, they often become the victims of these violence. This includes a substantial number of innocent victims who are caught in the cross fire.

Trauma is predominately a disease of young people. In the inner cities, it is disease of young black males. Most trauma centers are therefore located in the poorer sections and many are municipal hospitals. Resource allocation for these hospitals has not met the rise in health care costs across the country. This influx of more severely and multiple injured young patients has continued to require a greater and greater percentage of the available resources. Kings County Hospital has a 14 bed Surgical Intensive Care Unit. During the summer months, it is common for Trauma patients to occupy 10-12 of these beds. In addition, the less severely injured patients may occupy three or four Recovery Room beds. They can place a tremendous strain on the Blood Bank, as we try to treat a large number of badly injured patients. We have never had to deny emergency medical care to anyone because we did not have enough resources, but we have come close. We routinely have to delay less urgent an elective operative cares because operating rooms are not available.

In addition, this situation place a tremendous emotional and physical burden on the hospital staff. To provide quality health care in a municipal hospital setting has always been challenging. The emotional toll of seeing young people die speaks for itself. The added number of increases severity of injuries continues to tax a system that is already maximally stretched. Unless there is some relief in the near future, America's youth will continue to be injured and die in increased numbers despite the efforts of the health care workers.

Chairman MILLER. Thank you.
Mr. Weisenburger.

STATEMENT OF WILLIAM D. WEISENBURGER, JR., ASSISTANT PRINCIPAL, STONEWALL JACKSON HIGH SCHOOL, MANASSAS, VA

Mr. WEISENBURGER. Mr. Chairman, I am delighted to be here today. I am presenting this information on behalf of my colleague, Dr. William Sharbaugh and myself. Dr. Sharbaugh and I represent 30 years of experience in educating America's young people. Our experience includes teaching, coaching and administering the educational athletic programs at large suburban high schools.

As professional educators, we are well aware of the many dangers that face our youth as they grow to adulthood, including the possibility of injury or death due to the misuse of firearms.

As professional educators, we are also well aware of the special importance attached to developing well-rounded citizens through many activities, including the proper and appropriate use of firearms.

Our testimony will focus on the positive aspects of the presence of firearms as part of a healthy family, the benefits of firearms as they are used in sport and the steps necessary to make gun ownership safe.

Firearms in the healthy family. For centuries, firearms and weapons have been an integral part of civilized society. Young men, and more recently, young women, have trained in the martial arts. The proper use of firearms, swords or archery equipment have been taught to young people by parents or teachers.

Along with the physical training, parents and teachers have taught the responsibility associated with owning, handling or using weapons. The presentation of that first 22 rifle or hunting bow has represented a rite of passage into adulthood. The weapon symbolizes the parents' belief that their children are ready to begin to accept their responsibilities in the adult world.

No one will argue that a strong family unit is a key to ensuring that the youth of America will grow to fill the roles expected of them by society. From my personal perspective, firearms have played an important role in my development and the continuance of a very strong family identity.

I began shooting with my father at a very young age, just as he did with his father. My father's first rifle, my first rifle and my son's first rifle will always hold a very prominent place in the gun room. A round of skeet or a trip to the farm to shoot cans is the only reason needed for a family outing. My father and I spend many days each year hunting and attending gun shows, as I hope my son and I will in the future.

The shooting sports are a reason for families to spend quality time together. Inherent to this sport is the need to teach and learn responsibility and respect for the safety of those that may be around.

Family involvement in shooting sports puts parents in the position of teacher and in the position of enacting and enforcing rules that cannot be broken without jeopardizing the safety of the group.

The uniquely strict rules associated with shooting sports do not allow parents to engage in enabling behavior. The inherent interest in shooting sports shown by virtually all young people put them in the position to listen and obey the rules set by parents so they will be allowed to continue participating.

While many sports offer families the opportunity to be together in an enjoyable setting, few offer the chance to teach the lessons associated with shooting. Fewer still give family members the opportunity to participate together throughout their life.

Firearms in sports, development of self-esteem. Self-esteem is generally recognized as the key ingredient to being successful in one's daily life. Lack of self-esteem leads to such problems as substance abuse, entry into cult groups and suicide. Young people who have a low sense of self-esteem are prone to dropping out of school and to becoming involved in criminal activity.

A favorite expression of the American West was, "God made man; Colonel Colt made them equal." While the overtones of the cliche have no part in today's society, the shooting sports are still a way to equalize people and to develop a sense of self-esteem. Success on the range is not dependent on size, speed or strength. Handicapped shooters, young people and senior citizens can all compete.

Shooting is not restricted to the very rich, as safe and adequate equipment is within the financial means of all. High schools offer opportunities for students to develop skills in many areas. Sports provide an avenue for young people to develop many skills. Young athletes develop time-management skills, a sense of teamwork, the work ethic and discipline. Participation in sports helps develop leadership qualities in young participants.

Development of skills and athletic activities give the participant a sense of what is required to be successful. Success is addictive. It carries over into careers, schools and families.

The shooting sports extend the positive aspects of sport to a unique segment of society. The equalizing characteristic of shooting sports develop a sense of self-esteem in those who may not be able to compete on equal footing in other activities.

Students at Washington-Lee High School are offered the opportunity to compete on a rifle team. Members of the rifle team meet all of the academic eligibility requirements set by the Virginia High School League. They practice long hours; they are taught shooting skills by a competent caring adult and they learn all of the skills inherent to any sport.

The rifle league is comprised of ten schools from Northern Virginia, Washington and Maryland. The rifle team at Washington-Lee is comprised of 18 to 20 students, both boys and girls, that are not generally members of other teams.

Through the team, these students are afforded the opportunity to compete, meet and interact with students from other areas of the region and State, learn appropriate behavior from positive adult role models, and unlike many sports, they are learning and participating in an activity that will be available to them throughout their life.

Shooting sports, as most sports, have an inherent risk factor. Misuse of a weapon can cause grievous injury or death. As in all sports, the use of proper safety equipment, use of appropriate weapons for the level of skill demonstrated by the user and proper training greatly reduce the possibility of accident.

A child introduced to the shooting sports and taught the basic rules of safety will enjoy a lifetime of fun and excitement.

I was taught at a very early age that firearms were not toys to be played with. As testimony to the effectiveness of my early training, I was 18 before I handled a weapon without my father being present in the room and asking his permission.

Much of the danger associated with the misuse of firearms is the natural curiosity of children. The family that teaches their children the dangers associated with firearms keeps firearms locked in a secure place and abates their children's curiosity by allowing them to handle firearms under supervised conditions, takes the necessary step to provide a safe situation. The child that accompanies her parents to the range or to the field for a day of hunting will not need to try to sneak a peek at dad's guns.

A safer environment for our children can be had by educating the general population about the use of firearms. Firearms safety could easily be taught in schools, just as driver's education is now. Firearms owners could be required to pass licensing tests, just as drivers are now.

Safety programs could be offered through organizations such as the NRA or State Game Departments, as hunter safety courses are now.

In conclusion, it is unfortunate that the private ownership and use of firearms is being questioned due to the misuse of firearms by a small segment of our society. Limiting the types of firearms available to the general public will not keep them out of the hands of those who possess firearms for illegal purposes.

Those that use firearms for illegal purposes will buy them from the same organizations importing thousands of tons of illegal narcotics into the United States. The appropriate use of firearms in the shooting sports create opportunities for families to teach and learn in a relaxed quality environment. Reducing the opportunity for people to own firearms reduces the opportunities for families to interact in a positive manner.

The shooting sports create a unique opportunity for a segment of our young population to experience success. Appropriate training reduces the chance for accidental injury. It is inappropriate that the positive aspects of the shooting sports be ignored and be threatened due to the illegal use of weapons by sociopaths.

Thank you.

[Prepared statement of William D. Weisenburger, Jr. and Dr. William Sharbaugh follows:]

PREPARED STATEMENT OF DR. WILLIAM SHARBAUGH, ED. D, PRINCIPAL, WASHINGTON-LEE HIGH SCHOOL, ARLINGTON, VA, AND WILLIAM WEISENBURGER, JR., ASSISTANT PRINCIPAL, STONEWALL JACKSON HIGH SCHOOL, MANASSAS, VA

Mr. Chairman and Mr. Bliley:

I am delighted to be here today. I am presenting this information on the behalf of Dr. Sharbaugh and myself. Dr. Sharbaugh and I represent thirty years of experience in educating America's young people. Our experience includes teaching, coaching and administering the educational and athletic programs in large suburban high schools.

As professional educators we are well aware of the many dangers that face our youth as they grow to adulthood including the possibility of injury or death due to the misuse of firearms.

As professional educators we are also well aware of the special importance attached to developing well rounded citizens through many activities including the proper and appropriate use of firearms.

Our testimony will focus on the positive aspects of the presence of firearms as part of a healthy family, the benefits of firearms as they are used in sport and the steps necessary to make gun ownership safe.

FIREARMS IN THE HEALTHY FAMILY

For centuries, firearms and weapons have been an integral part of civilized society. Young men and more recently young women have trained in the martial arts. The proper use of firearms, swords, or archery equipment have been taught to young people by parents or teachers. Along with the physical training, parents and teachers have taught the responsibility associated with owning, handling or using weapons. The presentation of that first .22 rifle or hunting bow has represented a rite of passage into adulthood. The weapon symbolizes the parent's belief that their children are ready to begin to accept their responsibilities in the adult world.

No one will argue that a strong family unit is a key to insuring that the youth of America will grow to fill the roles expected of them by society. From my personnel perspective, firearms have played an important role in my development and the continuance of a very strong family identity. I began shooting with my father at a very young age, just as he did with his father. My father's first rifle, my first rifle and my son's first rifle will always hold a very prominent place in the gun room. A round of skeet or a trip to the farm to shoot cans is the only reason needed for a family outing. My father and I spend many days each year hunting and attending gun shows as I hope my son and I will in the future.

The shooting sports are a reason for families to spend quality time together. Inherent to the sport is the need to teach and learn responsibility and respect for the safety of those that may be around . Family involvement in shooting sports puts parents in the position of teacher and in the position of enacting and enforcing rules that cannot be broken without jeopardizing the safety of the group.The uniquely strict rules associated with shooting sports do not allow parents to engage in enabling behavior. The inherent interest in shooting sports shown by virtually all young people put them in the position to listen and obey the rules set by parents so they will be allowed to continue participating.

While many sports offer families the opportunity to be together in an enjoyable setting, few offer the chance to teach the lessons associated with shooting. Fewer still give family members the opportunity to participate together throughout their life.

FIREARMS IN SPORTS: DEVELOPMENT OF SELF-ESTEEM

Self-esteem is generally recognized as the key ingredient to being successful in ones daily life. Lack of self-esteem leads to such problems as substance abuse, entry into cult groups and suicide. Young people who have a low sense of self-esteem are prone to dropping out of school and to becoming involved in criminal activity.

A favorite expression of the American West was "God made man, Colonel Colt made them equal." While the violent overtones of the cliche have no part in today's society, the shooting sports are still a way to "equalize" people and to develop a sense of self-esteem. Success on the range is not dependent on size, speed or strength. Handicapped shooters, young people and senior citizens can all compete. Shooting is not restricted to the very rich as safe and adequate equipment is within the financial means of all.

High schools offer opportunities for students to develop skills in many areas. Sports provide an avenue for young people to develop many skills. Young athletes develop time management skills, a sense of teamwork, the work ethic and discipline. Participation in sports help develop leadership qualities in young participants. Development of skills in athletic activities gives the participant a sense of what is required to be successful. Success is addictive, it carries over into careers, school and families. The shooting sports extend the positive aspects of sport to a unique segment of society. The "equalizing" characteristics of shooting sports develop a sense of self-esteem in those that may not be able to compete on equal footing in other activities.

Students at Washington-Lee High School are offered the opportunity to compete on a rifle team. Members of the rifle team meet all of the academic eligibility requirements set by the Virginia High School League. They practice long hours, they are taught shooting skills by a competent, caring adult and they learn all of the skills inherent to any sport. The rifle league is comprised of ten schools from Northern Virginia, Washington,D.C., and Maryland. The rifle team at Washington-Lee is comprised of 18 to 20 students, both boys and girls, that are not generally members of other teams. Through the team these students are afforded the opportunity to compete, meet and interact with students from other areas of the region and state, learn appropriate behavior from positive adult role models and, unlike many sports, they are learning and participating in an activity that will be available to them throughout their life.

SAFETY AND THE SHOOTING SPORTS

Shooting sports, as most sports, have an inherent risk factor. Misuse of a weapon can cause grievous injury or death. As in all sports, the use of proper safety equipment, use of appropriate weapons for the level of skill demonstrated by the user and proper training greatly reduce the possibility of accident.

A child introduced to the shooting sports and taught the basic rules of safety will enjoy a lifetime of fun and excitement. I was taught at a very early age that firearms were not toys to be played with. As testimony to the effectiveness of my early training, I was eighteen before I handled a weapon without my father being present in the room and asking his permission.

Much of the danger associated with the misuse of firearms is the natural curiosity of children. The family that teaches their children the dangers associated with firearms, keeps firearms locked in a secure place and abates their children's curiosity by allowing them to handle firearms under supervised conditions takes the steps necessary to provide a safe situation. The child that accompanies her parents to the range or to the field for a day of hunting will not need to try to "sneak a peek" at Dad's guns.

A safer environment for our children can be had by educating the general population about the use of firearms. Firearms safety could easily be taught in schools just as drivers education is now. Firearms owners could be required to pass licensing tests just as drivers are now. Safety programs could be offered through organizations such as the NRA or state game departments as hunter safety courses are now.

CONCLUSION

It is unfortunate that the private ownership and use of firearms is being questioned due to the misuse of firearms by a small segment of our society. Limiting the types of firearms available to the general public will not keep them out of the hands of those that posses firearms for illegal purposes. Those that use firearms for illegal purposes will buy them from the same organizations importing thousands of tons of illegal narcotics into the United States.

The appropriate use of firearms and the shooting sports create opportunities for families to teach and learn in a relaxed, quality environment. Reducing the opportunities for people to own firearms reduces the opportunities for families to interact in a positive manner. The shooting sports create a unique opportunity for a segment of our young population to experience success. Appropriate training reduces the chance for accidental injury. It is inappropriate that the positive aspects of the shooting sports be ignored and be threatened due to the illegal use of weapons by sociopaths.

Chairman **Miller**. Dr. Scalea, let me ask you something. Dr. Kleck has suggested, that the automatic weapons thing is a media hype.

In my discussion with emergency room physicians in the San Francisco Bay Area, this isn't any hype. This has stressed out their emergency room facilities on each and every weekend of the year, in terms of personnel, the severity of the wounds, the greater likelihood of death and the use of resources, specifically blood. Every weekend now is turning into a crisis-management problem between hospitals. They tell me that the dramatic difference they see is automatic weapons in the East Bay because people now are coming with multiple and more severe wounds. Is that reflected in your experience in Kings County?

Dr. **Scalea**. I guess I think that that is—they are probably separate problems. There is no question in my mind that trying to gear up for the weekends, is very real and there is also no question in my mind that we are seeing far worse injuries.

I still think that the overwhelming majority of times, you don't really know what somebody got shot with. They are not usually in any shape to tell you. If they are, they are not likely to give you much in the way of details surrounding the accident. You may not know.

You can certainly do a tremendous amount of damage with a 9-millimeter handgun or an Uzi submachine gun and a lot of the people who are relatively facile are able to modify these guns to make them automatic. We don't see a lot of true assault rifle slayings in Brooklyn, I was talking to the Chief of Pediatric Surgery just last night before I came down and he was saying that he had just read some data that say that they actually were more prevalent on the West Coast. So that may reflect a sort of geographic——

Chairman **Miller**. We have always been in the vanguard.

Dr. **Scalea**. Congratulations.

Chairman **Miller**. Yes. Because the——

Mrs. **Boxer**. The Wild West, Mr. Chairman.

Chairman **Miller** [continuing]. Next piece of evidence, and maybe, Colonel, you can comment on this: at least in my looking at the media, on almost an every-weekend basis, there are reports of drive-by shootings in the San Francisco Bay Area or the LA area. In many instances, numerous instances by fully automatic or semiautomatic rifles, whether they are Uzis or AK-47s or what. The police are involved, either because people have driven by and sprayed parties—they can be graduation or birthday parties or what have you, but people didn't get invited so they were upset. Or they just sprayed people in other cars.

So, I mean, the notion that this is a media hype, it doesn't quite jive and I am going to let Dr. Kleck respond, but I mean, it doesn't quite jive with at least what our experience seems to be on the West Coast.

Col. **Supenski**. I would agree with that, sir. Just a couple of months ago, in this very building, a conversation with Chief Daryl

Gates from Los Angeles, who had been for years a staunch pro-gun individual, who has now come out flatly for a ban of assault weapons, and the reason he has is because those exact kinds of incidences are increasing alarmingly on the West Coast, not to mention the assassination, drive-by assassination, of two of his police officers.

At a recent Police Executive Research Forum conference in town, I talked to a number of police chiefs across the country, including those on the West Coast and they echo exactly those sentiments. That is not hype; that is reality. I believe, whether you said it tongue in cheek or otherwise, I think you are on to something when you say the West Coast is on the vanguard.

We see that trend starting to move to the Midwest and to the Northeast.

Chairman MILLER. Dr. Kleck.

Mr. KLECK. It is safe to say that in any given time, somewhere in the country any crime or health or mortality-related statistic is increasing and always has been. You can name any year in our history and any particular statistic you care to mention, somewhere in the country, it is increasing. It is a big country. There are 50 States and 3000 counties and tens of thousands of cities and it is always increasing somewhere, which means that you could have said these exact same things ten years ago, 20 years ago and so on.

You could be citing machine gun killings in Chicago over the beer trade, if you wanted to. If you want to have any meaningful, factual basis for judging whether there is a problem increasing, and therefore, Congress or some other body ought to address it, you have to pay some attention to what little factual information we have, not just anecdotes about this or that incident because there are always anecdotes like that.

It doesn't provide a meaningful basis for judging whether the problem is getting worse or whether it is serious relative to any other problems. We have limited attention and resources to apply to any problems, so you have to have some meaningful point of reference.

Okay, one meaningful point of reference would be how common are crimes involving assault rifles versus other kinds of weapons? The answer is not very common at all. They are extremely rare.

Another point of reference would be how bad is it now compared to the recent past? The answer is not very bad and it is not changing. There is not the slightest indication of hard evidence that nationally, not locally here or there, but nationally, that it is increasing.

What we have is evidence that, number one, the fraction of homicides involving guns in general has been declining; number two, the fraction of homicides involving rifles in particular has been declining and has been for years; and number three, although we don't have rigorous national statistics on assault rifle involvement in particular, we do have that kind of data for police officer killings, which have been mentioned in these hearings, and again, they indicate there is no trend.

The number of possible assault rifle-related killings is the same now as it was five years ago. One is one too many, but by any meaningful standard, the problem isn't getting any worse. There were, in 19—this is FBI data on police officers killed in assault. It indicates in 1982, there were eight killings of police officers with rifles of caliber that could conceivably have been semi-automatic; that is, this is the maximum possible figure. There were eight then. There were eight in 1987. There isn't really any trend and it is extremely rare.

Fortunately, police officers are fairly well protected these days with body armor and so on. Practically all the police officers killed in this country are killed because they didn't have body armor or because they were killed with a head shot or in some other way where the body armor didn't do them any good. So the greater power of semi-automatic rifles really doesn't have much relevance to police killings.

Col. **SUPENSKI**. Congressman, if I may respond to that. First of all, how bad? It is not bad because it hasn't changed.

Let me give you some real statistics, if Dr. Kleck would like to put some of this in his research.

The Atlanta Journal study, 49 percent of drug-related offenses now involve the use of assault-type weapons. When you are talking about assault-type weapons, the FBI statistic about officers killed with handguns versus rifles is very, very confusing because a nine-millimeter Uzi comes in a carbine, a rifle version and also a pistol version. A MAC–10 is a pistol, a TEC–9 is a pistol, but they are all assault weapons. So that whole statistic is something that is a bit misleading.

In my own county, again, with a typical suburban area, five years ago, not ten years ago, five years ago, we looked at the amount of assault weapons in our property room, the ones we seized from the bad guys, less than 1 percent. As of February of this year, it is 12 percent and growing. Don't tell me that that is not an increase. That is an increase.

DEA has just now upgraded for all—upgraded its weaponry for all of its agents to include a fully automatic submachine gun of 9-millimeter caliber. The U.S. Forestry Service is going into semi-automatic weapons because they are confronting more semi-automatic weapons, including a variety of assault weapons.

Police across this country are now increasing their firepower from the standard six-shot revolver to the 9-millimeter semi-automatic pistol, most of them high-capacity. Why? Because of the weaponry they are confronted with.

We are involved in a domestic arms race right now.

Chairman **MILLER**. Thank you.

Who was next? Mr. Holloway?

Mr. **HOLLOWAY**. Dr. Christoffel, you testified to the fact that you feel handguns have something to do with youth suicides. If a child is going to commit suicide what part does a handgun play other than performing it. If they are going to commit suicide, there are surely other means they can use.

Are you saying that you feel there are ties between handguns and youth suicides?

Dr. **CHRISTOFFEL**. Definitely. There are other means to commit suicide, but none that are so effective so quickly, so reliable, so handy. If you take drugs, it takes hours and hours to die and probably you will be rescued. If you hang yourself, it takes some work and some planning and you have to go about it.

If you set fire to the house, it may not work. Every other means that you may choose is much harder and takes much more time and planning than a gun. With a gun, you have to be despondent only for a very short time. If you have a handgun handy, a momentary impulse to try to kill yourself results in successful, if you will, suicide.

Many individuals who have committed suicide or tried to by other means, after they were rescued, said that they were glad that they were rescued. They were feeling very down then and they were available to be helped and had long-term survival. If they had had a handgun, they would not have had that second chance.

Further, it has been demonstrated that rises in suicide over the last 5, 10, 15 years have been mostly associated with firearm suicides. The increased availability of these efficient means of suicide contributes to the rise of suicide overall.

Mr. HOLLOWAY. Dr. Kleck do you really feel that education—and this is the one thing I do agree with Katherine on is the fact that parental education is one of the answers.

Out of the drug-related incidences, I don't know that there is anything we can do besides give police more rights than they have right now. I feel there is a lot we can do as far as being tougher with penalties and everything else to clean up the drug problem. But as long as we are going to have drugs, we are going to have the problem.

But do you feel that education is part of the answer to preventing suicide as far as safety measures?

Mr. KLECK. Are we talking about gun accidents now?

Mr. HOLLOWAY. Yes. Education on the use of guns, and safety tactics. I would like to ask the assistant principal the same question.

Mr. KLECK. Safety education has mostly been directed by middle-class professionals at a middle-class target, for the most part, especially in connection with hunting and it has probably been effective. Hunting accidents don't account for much more than one out of six fatal gun accidents these days and that almost certainly was higher in earlier decades.

So it has probably succeeded where it can succeed, but the gun accidents that remain, the hard-core that are hard to deal with, are a by-product of people facing a serious crime problem and having to keep guns in a dangerous condition, loaded and unlocked.

Now, what we see when we get into the details of gun accidents and go beyond children, to gun accidents in general, we see people who are alcoholics, people who are drinking at the time they were using the guns, people doing crazy reckless things like shooting beer cans off one another's head or playing Russian roulette. Now, in those circumstances, education isn't relevant because education presumes that there is a knowledge deficiency you are going to fix up. It is not a knowledge deficiency there. It is not that somebody was intellectually unaware of the fact that it is dangerous to shoot beer cans off somebody's head.

There is a personality difficulty there. There may be a difficulty with alcoholism or drug abuse, but there are a variety of things that gun safety education does not and cannot effectively address. An hour of training on principles like never point a gun at something unless you mean to fire it, that sort of thing, that doesn't address the bulk of the gun accident problem, and as I say, the gun accident problem is not primarily one involving children. They are extremely rare. In fact, the information we have had about the typical child/gun accident that we have heard today is accurate enough, but it is dealing with an incredibly small number, and children are sort of, by definition, assumed to be reckless and immature. I mean, they are children. You can't alter that. It is a state of life that you go through and grow out of.

So the only thing you can do with children is take a hazard out of their way. It is not so much education as it is removing a hazard. So people have the alternative of getting rid of the gun altogether or making it not a hazard anymore by keeping it locked.

I think the most practical alternative is to train parents, keep the gun locked if you have a child in the home who cannot be trained, who cannot be made to understand what a gun can do. Keep the gun locked with a trigger lock. You will still have it available for self-defense, perhaps not as quickly, but you will still have it available. That is advice people can take.

Mr. **Weisenburger**. I have to take issue. As a professional educator, we all think that education is the key to solving the problems of the entire world. I think the point is that we are looking at the issue of gun accidents as a total package and it is not a total package.

There are gun accidents involved with the drug trade, as was pointed out very effectively by Detra. I think there are ways to handle that problem that we are probably not going to get to here.

I think education of our young people is, in fact, a way to solve part of our gun problems, some of the gun safety that these kids are faced with every day.

My own kids—I have two very young children, they are five and seven—if I don't put my seat belt on, they are on me all the time. If my wife lights up a cigarette, they are on her all the time. They have been literally brainwashed in elementary school about the hazards of these two particular things, which are big time right now in our society, as we all know.

This same thing could be done with the question of gun safety. They could be literally brainwashed to not touch the gun at home, which I think is the kind of training that I went through personally.

Again, when we get into the drug trade, we get into other issues of how guns affect youth. Safety education may not be the answer.

Mr. **Holloway**. Thank you.

Thank you, Mr. Chairman.

Chairman **Miller**. Bill?

Mr. **Sarpalius**. Thank you, Mr. Chairman.

Dr. Kleck, you brought out a very interesting point in that a good percentage of statistic I had read at one time was 65 percent of the deaths occurred—or murders occurred by the use of weapons—occurred by a person who was intoxicated at the time when they used the weapon.

A high percentage of them occurred outside of a nightclub or a bar or in an argument. Maybe the problem is going at the same status as what it was several years ago, but after hearing the testimony of the young girl that we just heard from on how the environment within our school systems in certain neighborhoods in this country, the environment among our young people that they are facing today—and that is really what we are here to talk about, is children and guns and how drugs have affected the life styles of many young people today. That type of environment is much different today than what it was when you and I were going to school.

The real issue is how do you deal with that type of environment? We heard from that young girl who told us of parents who were afraid of even their children. We heard of where it is very common for those kids to obtain a gun. We heard of how the drug business is very attractive for kids to get involved in that business and when you are looking at making $1000 a day to a kid that is 16 or 17 years old, that is very attractive.

So how do you deal with that problem? If you were in our position, what type of changes would you make, what suggestions would you feel would be appropriate?

Mr. **Kleck**. Detra mentioned an excellent one. She mentioned good-paying jobs. Criminologists chant this like it is a mantra, day after day, year after year, hoping politicians will listen. Yes, that is what will reduce the crime. You know, you have the odd-ball case of a middle-class kid involved in all of this stuff, but not the kind of kid—it is the kids in Detra's neighborhood who are involved in cocaine trafficking day after day, as well as occasionally shooting one another. It is not randomly distributed. It is a poverty problem. Drug crime, crime, violent crime in general, with or without guns, it is a poverty problem.

Fixating on this or that odd-ball little attribute of these crimes, like, you know, which chemicals people had in their bodies or which piece of metal they had in their hands is—it is misleading. It is not getting to the core of the problem.

Now, a reasonable response of a Congressman to that is, well, we don't have the power to deal with that. That assumes that what is political reality now is always going to be political reality, that it can't be changed, that you can't educate the public and make it possible to do something significant about the poverty sources of crime.

Likewise, if you want to focus on the drug aspect of crime, criminologists have been saying the same thing for years, that the connection between drugs and crime is basically a legislative one. It is not a chemical one. The gangsters of Chicago in the 1920s didn't kill each other or slaughter each other with machine guns on the streets because they were dealing in beer. You don't see Budweiser and Schlitz shooting it out on the streets now that beer is legal. That violence was strictly attributable to its legal status.

We have, in our infinite wisdom, chosen to forbid people to put certain kinds of chemicals in their bodies. It has become enormously profitable to deal in those chemicals. People will kill to get those profits.

You change the legal status of that and that ceases, but again, a Congressman will get impatient and say, it is not politically realistic to even think about altering the legal status of these substances. My reply is, make it a political reality. Alter the political realities. You have to make some effort to change what is politically realistic and easy to do. That would mean adopting the British system to deal with hard drugs like heroin and cocaine and probably placing drugs like marijuana into the same status we place alcohol. You know, children can't buy it; you can't use it in public places and so on, but you can buy it from licensed sources and so on.

Basically, through a legislative act, you can disconnect drug use from crime. There isn't any chemical link there for—with possible slight exception between cocaine use and certain forms of violent crime.

So if you ask me what can you do in the long run, if political realities change, I can give you a very good answer, but with political realities as they are, basically there is not much you can do that is very effective, especially at the Federal level, very little.

Those political realities have to be made to change. It has to be possible to do something effectively, made possible.

Mr. SARPALIUS. I want to ask the Colonel if he could elaborate a little more—you didn't go much into detail on your testimony on the type of educational system that you do. You said that you provide an educational program for all the kids in your schools.

What do you do?

Col. SUPENSKI. Yes, sir. What we do is we start at the elementary level through a series of programs or courses that are built—course work that is built into the existing framework of courses to talk about the issue of violence, to talk about the issue of death—and you are dealing at the very small level, the small grades, the elementary kids, you are talking about primarily what to do if they run into—come upon a handgun. Here, what you are trying to do is the same thing you would do with any other kind of a potential hazard, be it electric shock, swimming pools or whatever. Pretty basic, pretty straightforward, also with the message that it isn't particularly cool to carry.

We carry that message, then, through the middle schools primarily through the teachers themselves and our DARE officers—most of you are probably familiar with DARE, but for those who aren't, it is a Drug Abuse and Resistance Education, and by the way, I would like to talk about that a little bit in terms of what you can do and what can't be done. I am not quite as gloomy there as Dr. Kleck is.

What we do is we have police officers full time in the schools as faculty. They develop the role model for these kids relative to drug use. It is one thing to be able to say, well, you just say no to drugs. That is nice as far as it goes but it doesn't go far enough. It is how to say no, how to resist peer pressure. We teach them to do that.

We use these same individuals to teach our middle school kids to talk about weaponry and conflict resolution and how to deal with conflicts, short of having it escalate into a gun fight and the reality of what occurs there.

Then, in the high schools, we have guest lectures, school people coming in from outside, kids involved in poster programs and essay contests in developing their own public service announcements. It is across the board.

The message is, basically, as I said before, reality of firearms misuse and abuse, the reality of death, guns in America and how we got to where we are, conflict resolution and the imagery.

Let me go back, if I may, for a minute, about what you can do, what Congress can do.

Chairman **Miller**. You have about a minute.

Col. **Supenski**. Okay.

I believe education programs can work. I really do believe that or I wouldn't be in this business. Drug abuse—we have seen drug abuse education work. You talked about it is a business and there is nothing you can do about it. Well, I don't believe that. I don't believe that for one second. Drugs are a business. Every business is driven by supply and demand and until you deal with the demand side, and that is what we are involved in with education, the supply will be there.

Until we get across to this generation of kids that drugs aren't the right thing to do, then if we don't do that, the problems will continue. If you do that, we will have a generation down the road that will not be facing the same problems if the demand shrinks, so will the problems associated with demand.

Thank you.

Chairman **Miller**. Mr. Durbin.

Mr. **Durbin**. Thank you, Mr. Chairman.

First, Dr. Christoffel, I want to extend my appreciation to Children's Memorial Hospital in Chicago, which was kind enough to host a hearing of this committee on the question of infant mortality in the State of Illinois and I want to thank you again.

Dr. **Christoffel**. We were happy to do it.

Mr. **Durbin**. I am very familiar with your institution and think a lot of it and I am very impressed with your testimony. I was in your neighborhood this last weekend and know what it is like and I know what you are up against and that is that I think you give good balance to the information that is being provided to the select committee.

I would like to address, Mr. Weisenburger, though, your testimony. I think this committee would probably be unanimous in its support of your suggestion that responsible use of firearms for sporting purposes is not only legitimate, but should be encouraged, and it does many of the things that you have suggested in terms of encouraging you to do the right thing and to participate in activities which are responsible.

But I do take serious issue with one of the quotes which you used in your testimony and that was your favorite expression from the old West. It said, "God made man and Colonel Colt made them equal."

Well, let me suggest to you that guns are equalizers and I think Colonel Supenski can tell you about that, too. A small person with a gun is just as powerful as a large person. Perhaps in Detra's neighborhood, a crack dealer with a gun is just as powerful as a policeman who is trying to arrest him.

More importantly, what we are talking about here, the kid who brings that gun into school is not just as powerful as a principal, ten times as powerful as a principal. He becomes a dominant force with the misuse of this gun. Colonel Colt was right, it equalizes people and sometimes makes them more dominant.

Though I would like to see your rifle team go on to a national championship, what we are trying to do is control those misuses of firearms. I think you may have slipped up earlier when you talked about Detra's friends being killed by accident. God only hope that they would have been killed by accident. Many of them were killed by design. That is what is going on in those neighborhoods.

We are dealing with the situation here where we have to try to bring under control a very difficult situation with immature individuals challenging men and women like Colonel Supenski, who get up every morning and put that badge on and put their lives on the line. That is where we come down on this issue.

I have to say, Dr. Kleck, despite some real serious differences with some of your conclusions, I do have to agree with you. If we went along with the Brady amendment, we went along with some kind of a background check on individuals, it is at least a sensible step in the right direction, but the NRA opposes that. Why they oppose that, I don't know. They are people—99 percent of them are going to pass with flying colors, and yet they would not even concede us that small point, to try to bring this problem under control.

So, Mr. Weisenburger, I do disagree with that aspect of your testimony. That equalizer has taken lives.

Mr. **Weisenburger**. Mr. Durbin, first of all, I didn't say it was my favorite expression. I said it was a favorite expression of the old West.

Secondly, I am fully aware of the fact that Detra's friends weren't killed by accident and I didn't say that they were. I am well aware of the drug problem. One of my positions in my high school is the Substance Abuse Prevention Coordinator.

I think what Detra pointed out, and what has been pointed out over and over again, is that what our kids lack is a sense of self-esteem. They are setting the hustlers as the role models. That is a quote from Detra. The hustlers are the role models, not the parents.

She said that the parents are afraid of the kids. That is because the parents are not spending time with the kids when they are young and when they get old and when they see, my goodness, I have lost this, then they are afraid of their kids and they have a right to be afraid of them. At that point, they are not children anymore, they are adults because they have raised themselves.

Mr. **Durbin**. I just want to say, in conclusion, I don't have much time left, but let me just say in conclusion, since I have been in high school many, many years ago, and perhaps since you have been, things have escalated. It has gone from beer to cocaine. It has gone from slapping a teacher to pulling a gun on him. The level of violence which they are seeing in the hospitals and in the police departments—this isn't the way it used to be.

The disintegration of the family is much more serious today because the outcome of it is lethal and that is what we are concerned about. I think we share many of those concerns. I am sorry if I took your quote out of context, but it really grabbed me. I think Colonel Colt was talking about the wild West and we want to keep that wildness out of our schools.

Mr. **Weisenburger**. That was exactly my point, too, sir.

Mr. **Durbin**. Thank you.

Chairman **Miller**. Congresswoman Boxer.

Mrs. **Boxer**. Thank you, Mr. Chairman.

Dr. Scalea, I was born in Kings County Hospital a very long time ago. I will tell you, it was a time so long ago that I think if there was anything like the trauma center you run saw those kids coming into it, there would have been hysteria in the neighborhood.

I think it is interesting that the people who are dealing with this violence, Mr. Chairman, have a very different perspective than the teachers. I mean, in other words, when you are into this day after day and you are seeing the blood flow, I think it is a little different than being in a classroom, with all due respect, where you don't see it, where your memories of shooting at targets are fond memories, where your memories of guns and your feelings about guns is self-esteem. It is a little different. It is very hard to see self-esteem in a kid that shot himself in the head.

I guess I was to ask the docs a question, and that is, we have seen physicians in the community get very upset about the nuclear arms race and some banded together and started a group called Physicians for Social Research, and because physicians are still rated very high in the public's mind, it had a very big impact because physicians came forward and they said, "You know, we deal with healing and we don't want to ever be in a position to have to deal with what will happen to us if there is a nuclear war, even if we are around to see it."

Is there any move—is there any time for you to think about some type of organization of physicians that would come forward, physicians against gun violence? Is there any thought given to that or are you too busy dealing with it?

Dr. **Christoffel**. There is no such organization at present. There is a loose network of physicians, many of them are tied up, as you say, taking care of the clinical problems that result from wide gun prevalence. But I think that sort of development is very likely in the years to come. Within the Academy of Pediatrics, this is a high priority, and pediatricians around the country and the leadership of the Academy have said that gun injury of children and adolescents has to stop. The children just can't keep getting injured and dying! So I think you will see leadership from the pediatric community, from the surgeons, (if they can get out of the operating room) and some of our emergency room and family practice colleagues.

I want to just take a moment, though, to urge the people on the committee and anyone who is listening to this testimony to independently examine the statistics that Dr. Kleck and I have quoted.

Just to point out some potential discrepancies that you will discover: More than half of all unintentional firearm injuries of under 19-year-olds are under 15, not more than half over 15, as he stated. The homicide rate may be falling overall, but it is rising for zero- to 19-year-olds. The suicide rate that is attributable to guns is rising for females; it is not falling for everybody.

So don't believe either of us. Go get the data and see which way it comes out.

Thank you.

Mrs. **Boxer**. Dr. Scalea, could you comment on my point?

Dr. **Scalea**. I think there may be two separate things. Yes, I think that there is now a growing sense of responsibility in the medical community as trauma has developed its own entity and become now something that has the public's eye. We the physicians who are dealing with trauma would like to think that we have a social conscious. That has now started to be a point of discussion—in the national meetings and national forum.

I guess there is always a shock and a horror about kids, children being hurt. The Academy of Pediatrics has always been very vocal about trying to protect children. To use a quote, from earlier this morning the political reality about adolescent trauma is that it is basically a disease of the ghettos and those people had not much of a political voice up until now.

Mrs. **Boxer**. Okay.

Let me ask one question because I have to run and I know the chairman is going to bring this to a close.

I want to first thank everyone on the panel because you have all been direct with us and I have to particularly say to the law enforcement representative that you have moved me greatly. I think you are very effective and I commend law enforcement for what it is doing. It hasn't been easy. You used to walk hand-in-glove with NRA and now you are not; it is tough.

Give me one good reason, Mr. Weisenburger, to have a handgun, just one good one?

Mr. **Weisenburger**. I enjoy shooting it. I enjoy going to the range on Sunday afternoon and shooting——

Mrs. **Boxer**. A handgun?

Mr. **Weisenburger**. Yes.

Mrs. **Boxer**. A small pocket handgun? One good reason?

Mr. **Weisenburger**. I have several handguns. I enjoy shooting them all.

Mrs. **Boxer**. That is the reason?

Mr. **Weisenburger**. Sure.

Mrs. **Boxer**. So the one good reason to have a handgun is because you enjoy it. Okay. Thank you very much.

Chairman **Miller**. Mr. Smith.

Mr. **Smith** of Vermont. Thank you, Mr. Chairman.

I have a question for Mr. Weisenburger about the training and licensure aspect of your testimony and I would be interested in any other response to that because I, frankly, can conceive of a bill like that that would receive enormous opposition from national organized groups and so I really am intrigued about it.

I need to say a couple of things about violence. Some of the things I have heard today, I really think that if we added up, regardless of where the trend lines are, regardless of who we believe, as you put it so well, if we called it a war and we said we have the red team and the blue team and every time three people were killed in Butte, Montana, we said reds lose two, blues lose one, then we would understand that we lose more people under the age of 20 than they do on the West Bank and Central America and Northern Ireland altogether in a year.

So if we called it something besides a problem, I think this society would react with horror to what is happening.

The second point—so I think we ought to give it a name. Anytime you talk about the 2nd Amendment, my second point is, it ought to be a tough conversation. People get hot about it, and they ought to get hot about it because it is in the Bill of Rights.

So I don't begrudge on either side of this argument the fact that people get hot about it because it is important. But we have, in fact, understood that there are limits to the freedom of speech. Holmes started the ball rolling with the famous quote, although, as we are hopefully reminded, took about 40 years for that actually to become law in this country.

I have a question, Mr. Chairman, as to whether or not we have to—and it may have been covered before I came in here—look at the issue of violence on television, and I think there are two kinds of violence. There is the violence of slashing and maiming and killing and the good guys being the bad guys and the bad guys being worse; and there is also the violence of banality, of mind-numbing banality, and that is another kind of violence and it affects children all over this country.

Somebody told an anecdote and I would tell you an anecdote and if I seem intense about this, it is because I am and it's not directed, believe me, personally at anyone at this table.

But I have been treated, since I decided to support a limit on accessibility of assault weapons as a co-sponsor, to extraordinary abuse and violence by the national sporting group known as the National Rifle Association. They disguise it and they try to work through operatives, but I hold them responsible for posters that portray me alongside Adolph Hitler, which I consider to be absolutely beneath—beyond any kind of contempt that I can imagine. I hold them responsible for disinformation that is not intended to have a good debate about the 2nd Amendment and I will take that any day, and in fact, have had them in shooting clubs in Vermont where I have been the only person holding my point of view, and I welcome that because that is what it is about.

When you don't tell people the truth, then, in fact, there is no basis for a debate, and I am enraged by the attempt to tilt the playing field of the political debate around this issue.

That is the kind of violence that is simply—whether it is the NRA or anybody else—we have to get beyond because it doesn't add light to what is—no matter how you feel about it—to what is an enormously difficult problem.

So that particular violence, occasional shouted threat, occasional phoned threat, is just all part of it, and I have been subject to that.

I think the context within which we choose to address this problem, Mr. Chairman, is critical and within that, the idea, frankly, of training, of treating it like an automobile license in some regard is of interest to me and I guess I would ask you if you can spell it out a little bit more because I support the sporting use of weapons and maybe unlike some other members of this committee, I understand a day at the shooting range. I absolutely do, and I support that. I don't think we are talking about anything that would limit that. I hope we are not.

What we are talking about is, I think, something very different and I am wondering if you have any thoughts—any of you have something else you could offer as to how we might proceed—what that kind of system might look like so that it would work effectively.

Mr. **Weisenburger**. I would see a system like that working possibly through the DMV in my own State. I don't see any reason that, as a gun owner, I would not be willing to submit myself to a test to prove that I knew how to handle the type of firearm I was trying to be licensed to use. I don't see any reason that I wouldn't pay a reasonable yearly fee. However, I can very easily see attempts by legislatures to make the reasonable fee extraordinary so that people would not be able to get the license.

I see an automobile as a much more dangerous weapon than a firearm because the holocaust on our roads is deplorable, and, of course, we are licensing drivers for that very reason. We are testing them; we are making sure they know how to operate the vehicle safely.

I see a very strong parallel between the two. I don't want to see a licensing procedure be designed to limit the types of weapons available. I think that an assault weapon, which I enjoy to shoot, is just a piece of high-tech equipment, must like a racing automobile is, just like a Porsche on the street is.

Right now, to drive a Porsche, you just have to have a license and a Porsche is—I mean, it is a racing car, but it is on the street. On the other hand, to race on a track, you have to have additional licensing; you have to go through driver's school; you have to get whatever that particular track requires.

I don't see any difference. I don't see any need to not follow through on something like that, not to limit the guns available.

I enjoy shooting an assault weapon. I enjoy shooting shotguns. I enjoy shooting handguns, as Mrs. Boxer doesn't seem to understand. It is my choice.

On the other hand, we are tying gun violence into the drug problem. Gun violence and the drug problem are two separate issues. The drug problem is something that comes out of, as Detra pointed out, a need for money. At my level in high school, I see it as a need for self-esteem. I see students whose parents don't give them the intimacy they need at home and they are getting it by hanging around with other students involved in a similar activity. So the two are separate issues.

Mr. **Smith** of Vermont. I guess I would be interested in—just in following on—in any ideas about how we might think and whether it should be at the State or national level because I probably may be in a minority on this committee do not begrudge people in any regard the right to use—and I am involved with automobile racing and so I understand the distinction and I happen to think that it is a distinction that could be used to argue for not necessarily restricting weapons—we might disagree on that—but to determine who is eligible and safe to own one.

I am really pleased to hear that because I think if you ran for office, you would probably lose and I am about to find out in Vermont.

Dr. **Christoffel**. A couple of comments. One, I think it would be a great step forward if every State in this country required licensure of guns. They don't, as you know, but they do require licensure of many things, including dogs and fishermen, but not guns.

Licensure would be a big step forward. Requiring training and proven competence in gun handling to be licensed would be very good as well.

But I want to make one comment which has not come up so far this morning on the education and training issue. I do agree with those who have said that it is important to train children from an early age to be afraid of guns, respectful of guns, and that this should be considered survival training, just like teaching them to cross the street safely and put on their seat belts. However, I take strong exception to some of the "education" plans which have been introduced aimed at very young children, which are purported to teach them to be safe around guns. Some of you may have seen the NRA Coloring Book, which is aimed at kindergarteners and first-graders, which encourages children, if they find a gun in the home, to find a responsible adult to put it away. I don't know where "away" is in the home with a child, and what the "adult" who is going to put it away would have left it out for. In my opinion, and the opinion of most of my colleagues that I have spoken with in the Academy of Pediatrics, the premise that you can teach children of that age to be responsible around guns is based on a faulty understanding of what children of that age are capable of.

It is the *adults* who must be responsible for protecting young children. The children may or may not understand the safety message, remember the message, retrieve the message when they need it, distinguish a real gun from a toy gun, know whether the person in the next room is an adult or teenager, or is sober or drunk. There are so many flaws in the coloring book strategy that I think we must unequivocally distinguish between teaching older children safe handling for target shooting training for licensure of adults and beginning at an early age to teach respect and fear of guns on the one hand, from this notion on the other that you can teach a child barely old enough to read to provide for his own safety. All that can result is encouraging parents to be irresponsible in their handling of guns around these youngsters.

Col. **Supenski**. Let me echo what the doctor just said. Our education program at the very early level, the elementary level, tends to do just that. What we hope to do is be able to bring some of this stuff home to the parents so that we, by having workbooks that talk to parents about their responsibility, we might educate the parents through the kids, but I couldn't agree more with that.

Basically, all you want to do at a very early age is to get them away from it. You teach them just like you do Dr. Yuck. Again, as I said, I am a shooter and I own guns. I taught my kid from a very early age that was a no. I know all about the fruit of the poison tree and all that other stuff, but the answer was no and the message was clear and unequivocally no until he was early enough to even comprehend what we were talking about.

Now, relative to the licensing provision that was espoused by Dr. Weisenburger, I think that is fascinating and I would support that fully. I think that could be done at a State level; that could be done at a local level. Obviously, at the State level, I think that would be the best place for it.

My God, you can't be in the State of Maryland a cosmetologist—that is a beautician—people who dye people's hair, without having to go to school, take 1500 hours of training and pass a test. But you can go to a store, buy a handgun, something that can cause people to die, with no testing. I would support that fully.

If we could get the gun lobby to come off of dead center and help us do that, we would be more than appreciative, but how in God's name can we talk about licensing and certification when we can't talk about a simple—something as simple as registration, a seven-day waiting period, the opportunity for police to at least screen the people?

They talk out of both sides of their mouth, but if they would talk on this one and talk seriously, I would welcome the opportunity.

Mr. **Smith** of Vermont. The reason I raised the question is that I would be interested in any ideas, and I am sure the chairman would be, too. My point is, my experience—beneath the thunder of the debate that I have shared with you in terms of my own position in my home State, I find that I run into NRA members and sportsmen—I also am a gun owner and a hunter—who come up to me quietly and say, "We need to do some things," and while people may have disagreed with some of the elements of your testimony and may, in fact, may have misinterpreted it and put it back to you in their own intensity, I think you reflect something that I have found as I have gotten into this debate, that there are ideas and there are ways, as well as there are fears and concerns, and some how, we need to mediate this problem.

Somebody talked about mediation earlier. We have to get people to the table and talk. Something I tried to do and, in fact, was rejected. Somebody said, who did you know when you didn't have it happening, this mediation attempt? I said, it was when they held the press conference and called for my resignation or impeachment, whichever could be done first, which sent a fairly clear signal.

But, you know, I regret that that happened because I think you are representing, and I mean this genuinely, the example that even if we may disagree on some of the other specifics, there are ideas out there that we need to be working on. I am not sure any of us know what the right answer is yet. We have the horses we ride, but I thought it was an interesting idea and I commend you for it.

Let me get out of your hair, Mr. Chairman, because I know my time is up.

Chairman **Miller**. That is fine. I am interested in the dialogue back and forth.

Let me say that it was my intent when we decided to go down this road, to look at children and violence and, specifically, in this particular hearing, guns and violence—to try to shine the light on this issue recognizing that there are, in fact, many different settings in which children are exposed to guns. Some of the settings are responsible and probably in all instances harmless. In other settings, they are extremely dangerous and they are taking the lives of thousands of our young people by accident, by homicide, by suicide. All of it is unacceptable as far as I am concerned. Dr. Kleck, I have serious problems when the suggestion is: well, this happened in the 1920s and this isn't so bad. That suggests a sense of arrogance toward people who are trapped in those neighborhoods. I don't remember, in all of the readings or the portrayals, that the neighbors were very happy with Al Capone or somebody else shooting up their neighborhood.

Mr. Kleck. I don't recall saying it was no problem——

Chairman Miller. I think I really have to tell you that your notion that somehow, well, the statistics are really not much worse than they were before, and you can find trouble spots, but it is not a problem because, somewhere in the country, there is always some disease or some malady that is worse than it was before—I don't understand the relevance of that statement when you have whole families and whole neighborhoods and housing projects that are consumed by this violence. And it may not be an epidemic on a national scale—and you will let me finish and then you are more than welcome to respond—it may not be an epidemic on a national scale, but in that neighborhood and in that city, it is.

We have gone so far as to see police departments sweep whole neighborhoods, sweep whole neighborhoods because they were at a loss at what else to do. I am fully prepared to suggest that much of that increase in violence is directly related to drugs and I think you posed the crux of that problem. But the suggestion that because suicides are now maybe only 59 percent, as opposed to 61 percent by handguns, or that they are going down after they went up in 1974, is really a distinction without a difference. It is really an irrelevant discussion of the problem when, in fact, we see that the sheer proximity and availability of guns is, in and of itself, creating the opportunity to do serious harm.

Some of that harm comes because of criminal intent, some of that comes because of ignorance, a lack of education, stupidity, drunkenness, drug abuse, however you want to frame it. But the fact of the matter is, what is common is the availability of the gun in those arenas.

And to dismiss that—that is my interpretation of your testimony—is incredible in my mind. It is really incredible.

Mr. Kleck. I didn't dismiss it. I don't know of anybody here who dismissed it. I—

Chairman Miller. Nobody else did.

Mr. Kleck. I can't recall saying anything even remotely like that. I pointed out the kind of facts that apparently spoil the fun for people who are trying to crank up greater concern about a problem that is declining.

Chairman Miller. It is not a question of cranking up concern. You are looking at a problem that is consuming great numbers of children——

Mr. Kleck. Which problem are we talking about——

Chairman Miller [continuing]. And for some reason, we have not been able to focus on that——

Mr. Kleck. You keep switching back and forth as to which problem you are talking about. What I was specifically referring to at that time was assault rifles. Assault rifles is not a growing problem. Now the problem you are talking about that is consuming the neighborhoods is either drugs or violence or drug violence or something else and the argument shifts like quicksand. I can hardly keep up——

Chairman Miller. No, the argument—the argument——

Mr. Kleck [continuing]. With exactly which it is that——

Chairman **Miller** [continuing]. Doesn't shift. The argument is the question of relating the availability of guns approximately to guns in the environment, whatever that environment may be——

Mr. **Kleck**. All right, let's address it that way.

Chairman **Miller** [continuing]. Whether it is Mr. Weisenburger's home or whether it is Detra's neighborhood.

Mr. **Kleck**. Good issue. Let's address that and let me make it explicit why it is relevant to look at whether the problem is getting greater or not.

If you want to establish that there is a connection between growing gun availability and growing violence, then presumably that is premised on the idea that, A, gun ownership is growing, and B, gun violence is growing.

I pointed out that neither of those things is true. It kind of undercuts the argument that is, indeed, guns that are responsible for the problem. To say that these factors——

Chairman **Miller**. I didn't say guns were responsible——

Mr. **Kleck** [continuing]. Are just irrelevant——

Chairman **Miller**. I didn't say guns were responsible for the problem.

Mr. **Kleck**. Well, then, what are we talking about? You said——

Chairman **Miller**. I am raising the question of whether or not the sheer numbers and availability in these various environments and circumstances, whether that is something that is common——

Mr. **Kleck**. Okay.

Chairman **Miller** [continuing]. In that situation, as was pointed out with the discussion of suicide. Perhaps those people would not have committed suicide if they didn't have that easy availability——

Mr. **Kleck**. Great, then I can address that.

Chairman **Miller**. The criminal availability of guns in drug neighborhoods is the question that is open here.

Mr. **Kleck**. I would be happy——

Chairman **Miller**. That is the whole purpose.

Mr. **Kleck** [continuing]. I would be happy to address that, then.

You mentioned suicide, okay, let's briefly talk about suicides. Dr. Christoffel says that guns are unique in their ability to allow a person who is impulsive, who wants to—is temporarily despondent, to commit suicide.

Number one, there is no evidence that guns are used by the sort of people who are temporarily despondent. In fact, they appear to be used almost entirely by people who are very seriously intent over a very long period of time to use guns.

The people who use—who are temporarily despondent and attempt suicide almost invariably do it with pills or little superficial scratches on their wrists. Those are the cry-for-help types.

The claim that guns are sort of uniquely helpful in committing a suicide is not supported. You take as an alternative method using carbon monoxide fumes from an automobile, far more available, far more immediately available than guns. Virtually all households have automobiles, certainly better than 90 percent, and only about half of them guns of any kind.

You talk about lethality rates. Well, the lethality rates are basically the same for people who attempt to commit suicide using carbon monoxide gas as those who use guns. Hanging is also—has about the same lethality rate.

Now, there is no special training needed to put a noose around your neck. It doesn't require any expensive or hard-to-get equipment and however lenient the gun laws of this country are, it is certainly a lot easier to get a piece of rope than it is to get a gun.

So to argue that there is something unique about guns is absurd. It just isn't consistent with any of these facts. The notion that gun availability in any locality contributes to greater suicides is simply not supported.

All right, let's talk about homicides or about more generally assaultive crimes. What does it mean to have a gun available to people? Well, it means a lot of things, some good and some bad.

One of the things it means, which people who support gun control will stress, and quite accurately, is that guns are more lethal in homicides than fists, knives and the like. So that if you took a gun away from somebody, if it hadn't been available and they still attacked, it would be less likely that their victim would die.

What they fail to report is evidence that has been known for years that also indicates that when people have guns, everybody is lots more cautious about getting into a fight in the first place. They step very carefully around one another and I am talking whether or not it is the victim or the offender who has the gun. Everybody is very cautious and much less likely to get involved in an assault in the first place. So the presence of a gun makes it less likely one person will attack another, but more likely that if they injure them, that victim will die.

Then, on the other hand, the effect of guns in the hands of prospective victims, to the extent that it exists, and it is probably a mild effect, is a negative one; that is, a slight deterrent effect. Crime is somewhat more dangerous for offenders when guns are in the hands of prospective victims.

So you have this mixture of positive and negative effects and you have people who are familiar with only a tiny fraction of this evidence authoritatively pronouncing that they know what the net effect of the availability of guns are and it takes my breath away.

You know, I have spent ten years looking into all of these ins and outs and basically the information is simply ignored. It goes in one ear and out the other. It is not that the evidence is successfully rebutted, it is simply ignored. They simply proceed as if it did not exist and they selectively cite the handful of statistics that will support their point.

Chairman MILLER. I don't think the evidence is being ignored at all. I suggest that the evidence, either in the percentages or in the raw data, is again consuming significant numbers of our children. The purpose of this hearing is to raise that issue.

The purpose of this hearing is to raise the issue in terms of what Mr. Smith just talked about, whether or not there are suggestions to deal with it in Detra's environment, Mr. Weisenburger's environment, in your environment, or others because we obviously have a multi-faceted problem here which is sometimes driven by rational behavior and sometimes driven by very irrational behavior.

But to ignore the fact that we are consuming thousands of young people a year in one fashion or another—and there may be some elements that we can't do anything about. I think my point is, I don't know anywhere else where we lose this number of children where there has been less discussion on the topic.

That is the reason for this hearing.

Mr. **Smith** of Vermont. Will the gentleman yield for a——

Chairman **Miller**. It is not a question of what is the result of this hearing. The question is this discussion—there is not much of it going on in public arenas.

Col. **Supenski**. Mr. Chairman, may I add——

Chairman **Miller**. Excuse me, let me——

Mr. **Smith** of Vermont. Let me just add, I think what, to use your phrase, and I am accepting an inference here—what takes my breath away, assuming that your data is correct, and I will accept that for the time being—you know, there are lies, damn lies and statistics—we all do it to some extent, but you know, you think it is an argument to do nothing.

I am inferring that.

Mr. **Kleck**. No, my written testimony indicates exactly what I think ought to be done. I am in favor of a gun owner's license that applies to all kinds of guns and—which is basically the same thing that I guess has been endorsed by most of the people at this table, so, you know, to the extent you ought to do anything, that ought to be a good idea. But the point of that legislation is basically that you are focusing on a highly violent segment of the population; that is, you don't let people with a criminal record get a license, so it is not an across-the-board measure.

It is not intended to be——

Mr. **Smith** of Vermont. Okay. My breath is half back in my body now. Thank you.

Chairman **Miller**. Colonel Supenski.

Col. **Supenski**. Let me address a couple of things.

First of all, we talked about—Dr. Kleck talked about the number of guns hasn't grown in this country. I don't know where he gets his statistics——

Mr. **Kleck**. No, no, I didn't say that. I didn't say that.

Col. **Supenski**. That is exactly what you said, sir.

Mr. **Kleck**. No, it is not.

Chairman **Miller**. He said that gun ownership has not grown.

Col. **Supenski**. Gun ownership hasn't grown? Well, then, there has to be something to account for the fact——

Mr. **Kleck**. No, no.

Col. **Supenski** [continuing]. That there are ten times more guns in our society since 1900; that is, since 1900, we put more guns into society than were in existence——

Mr. **Kleck**. Nobody knows that.

Col. **Supenski**. Oh, yes, we do.

Mr. **Kleck**. No one knows how many guns there were in 1900.

Col. **Supenski**. We also know that gun sales have quadrupled from 1965 to 1985 and all you have to do is look at BATF records. Don't tell me nobody——

Mr. **Kleck**. I have looked at the BATF records and that is not what they indicate. Gun sales——

Col. **Supenski**. Then you are looking at——

Mr. **Kleck** [continuing]. Have declined since 1978.

Col. **Supenski** [continuing]. Then you are looking at the wrong sales because gun sales in my State haven't——

Mr. **Kleck**. I happen to have the statistics right——

Col. **Supenski**. Wonderful.

Mr. **Kleck** [continuing]. Here. Let's see who is fabricating statistics. Let's take a look at the gun sales right here.

Col. **Supenski**. How many guns?

Mr. **Kleck**. Would the Congressman like to look and see if this man is telling the truth about gun sales in the last ten or 15——

Col. **Supenski**. Is that an article from the NRA, American Rifleman?

Mr. **Kleck**. No, it is BATF statistics.

Chairman **Miller**. Why don't we make it part of the record.

[The information follows:]

Firearms Production by U.S. Manufacturers, 1973–1985

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By Walter J. Howe

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For several years prior to the enactment of the Federal Gun Control Act of 1968 (GCA '68), a constantly recurring question from legislators was: How many firearms are there in the hands of U.S. civilians and what types of firearms are they?

Guesstimates ranged from ridiculous lows to even more ridiculous highs. The most readily accepted estimates were those extrapolated from the data in Gallup, Harris and similar public opinion polls. But, there were even significant differences between the figures offered by these leading polling organizations.

Because Federal legislators felt it was vital to know as much as possible about the U.S. firearms population before enacting laws designed to control the commerce in and possession of these items, a Task Force on Firearms was designated as a study group within the National Commission on the Causes and Prevention of Violence. (This Commission was established by President Lyndon Johnson in June 1968, following the assassination of Martin Luther King and Robert Kennedy within a few months of each other.)

The Violence Commission used its power of subpoena to compel 68 leading U.S. firearms manufacturers to divulge the numbers of pistols, revolvers, shotguns and rifles they had produced between 1920 and 1968. For earlier years (1899–1919) less detailed figures were also requested.

Using the data obtained from the manufacturers, plus data from the Census Bureau, the U.S. Army, the Bureau of Customs and other sources, the Violence Commission estimated that U.S production plus imports (minus wear-out and destruction), resulted in there being approximately one-hundred million firerarms of all types in the hands of U.S. civilians in 1968.

To obtain more details, the Commission asked the Harris organization to conduct a special survey to determine the number and types of firearms in households of the nation. The data from that survey, combined with basic data from a 1966 Gallup survey, produced an estimate of eighty million firearms in the hands of the public.

As a compromise between the one-hundred million production/import figure and the eighty million public survey figure, the Commission declared: **"There are an estimated ninety million firearms in civilian hands in the United States today (1968): 35 million rifles, 31 million shotguns and 24 million handguns—in 60 million households."**

Actually, it would have been more correct to state that the 90 million firearms were distributed among approximately 36 million households (rather than the total of 60 million) because the 1966 Gallup survey data—used by the Commission—showed 41% of households did *not* have a firearm.

While the Commission's method for estimating civilian firearm possession can be faulted for being less thorough than it could have been (as example, it did not make an allowance for exports of U.S. firearms over the years), virtually all subsequent estimates of civilian firearms possession are based on the Commission's 1968 figures, or use those figures as a frame of reference or a basis for 'proof.' Currently, the most thoroughly explored estimate of the U.S. firearms 'population' is to be found in "Under the Gun," a 1983 book by Wright, Rossi and Daly.

Prior to the Commission's having compelled the firearms manufacturers (in 1968) to reveal production data, such detailed information on the annual production of U.S. firearms manufacturers was simply not to be had. There were U.S. Census of Manufacturers figures covering selected years, along with a few special government studies. But all such material was, at best, incomplete and vague. Gun collectors, over the years, have published production figures, but mainly relating to models long discontinued.

Publication of the Task Force on Firearms Report* (in 1970), featuring many years of production figures by general firearm type (rifle, shotgun, handgun), seemed to be adequate until 1972. In that year, during a hearing on gun control, a Congressman asked a Treasury Department official how many handguns of a particular caliber had been imported and how many had been manufactured by U.S. makers.

Because the U.S. Government collects information on firearm imports, the official could provide specific data on pistol imports. But, he had to admit the BATF did not have figures on domestic production.

Evidently the Congressman's question pointed up a seeming void in data gathering, for shortly thereafter the BATF issued a requirement that every holder of a Federal Firearms Manufacturer's License had to submit a Quarterly Firearms Manufacturing and Exportation Report. This report (Form 4483) calls for handgun makers to furnish production figures by handgun type—pistol and revolver—by caliber. Long gun manufacturers are required to furnish production figures only by basic gun type, i.e. rifle or shotgun. Production figures for machine guns and "any other weapon" are also called for as is the quantity of each of the above weapons which is exported in the quarter. All of the figures exclude firearms manufactured for the Armed Forces of the United States.

The advent of the BATF's Manufacturing and Exportation Report generally displeased the manfacturers and generally pleased anti-handgun groups, legislators, collectors and authors of learned journal papers.

Eventually, as the result of legal prodding by Handgun Control, Inc., the BATF was compelled to make available (under FOIA) the detailed production data—by manufacturer—they obtain from all firearms manufacturers. The only restriction is that the released figures must be one year old. (More recently, the BATF has changed their rules so the manufactures report only at year-end rather than quarterly. Moreover, due to the BATF changing their computer arrangement, 1986 production figures are not available as this article is being completed in September 1987.)

Consolidated reports of U.S. firearms production appearing in some BATF publications show totals for the Government fiscal year which do not coincide with the calendar year. As a result, fiscal year figures—which are different from calendar year figures—are often seen in print media.

Another source of confusion with regard to firearms production figures stems from the fact that BATF has, from time to time, revised various weapon-type and caliber figures. Although these changes are made in the interest of producing reference material which accurately reflects the actual situation, it remains that there can be similar appearing reports for a given period with two quite different figures for the same item. Still, the differences in figures are usually not significant when related to a specific firearm-type total for a year.

In the preparation of this article, great care has been taken at every stage in the conversion of the basic BATF figures into arrays and graphs. However, because many of the basic figures have been rounded to eliminate the thousands portion of the expression, cross checking of some totals will result in non-agreement. But, here again, the differences in no way distort the picture. (NOTE: The BATF form on which manufacturers submit handgun caliber information has the word "to" preceding the numerical caliber. Thus, more than one common cartridge chambering may be included in the production total for a specific caliber. As example, under the revolver classification, "to 32" are revolvers chambered for the 30 Carbine, the 32 S&W, the 32 H&R Mag., etc.)

It should be noted that the first BATF

Production Reports which were issued covered the third and fourth quarters of calendar 1972. This article does *not* include the figures from that six-month period for the good reason that proper comparison can be made only between full calendar years. Except for one graph covering "Handgun Production 1952 thru 1985," all other graphs and arrays cover the thirteen calendar years 1973–1985 inclusive. (The data in the 1952–1985 Handgun Production graph incorporates Violence Commission figures for the 1952–1972 period.)

Approximately 63,393,000 firearms (excluding those for the U.S. Armed Forces) were turned out by U.S. manufacturers in the years 1973 thru 1985. By basic firearm type production totals were as follows:

Rifles	22,105,000	35%
Revolvers	17,691,000	28%
Shotguns	15,688,000	25%
Pistols	7,909,000	12%

During the studied period, annual firearms production ranged from a high of 5,832,000 units in 1974 to a low of 3,462,000 units in 1985. As is suggested by the figures in the table below, not all firearms types experienced their production highs and lows in the same years, a fact which reinforces the thinking that factors other than prevailing economy play a part in the ups and downs of the civilian gun business.

Firearm Type	High Year	Units (000)	Low Year	Units (000)
Rifle	'74	2148	'83	941
Shotgun	'74	1789	'85	770
Revolver	'81	1799	'85	844
Pistol	'81	858	'74	399

Total Production by U.S. Manufacturers, 1973–1985 (Units in 000)

Calendar Year	Shotguns	Revolvers	Pistols	Rifles	Total
▬ x ▬		→ Handguns ←			
1973	1567, 185	1171 1623	452	1950	5141
1974	1789	1496 1895	399	2148	5832
1975	1442	1426 1881	455	2036	5359
1976	1288	1425 1894	469	2138	5320
1977	1185	1424 1864	440	1840	4889
1978	1253	1458 1957	499	1853	5063
1979	1322	1533 2167	634	1852	5341
1980	1329	1586 2370	784	1913	5612
1981	1044 3123	1799 2657	858	1701	5402
1982	855	1593 2409	816	1491	4755
1983	891	1011 1653	642	941	3486
1984	952	926 1680	754	1102	3734
1985	770	844 1551	707	1141	3462

Although the principal focus of this article is the detailed examination of handgun output by U.S. manufacturers, the following all years, all firearms types array, as well as three graphs (elsewhere in the article) are provided to permit direct comparision between long gun and handgun production.

(NOTE: Information as to the action-type and caliber of rifles and shotguns is not gathered by any Government agency. Although both BATF and the U.S. Department of Commerce collect data on firearms imported into the United States, none of the figures in any part of this article include imports.)

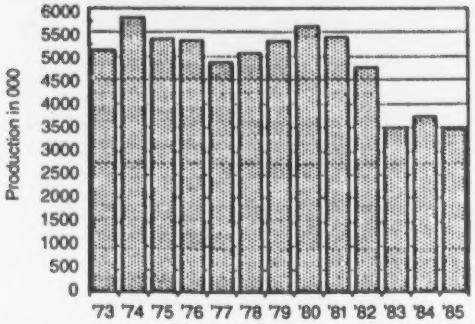
SI

*"Firearms and Violence In American Life"–Library of Congress Card Number 70-601932.

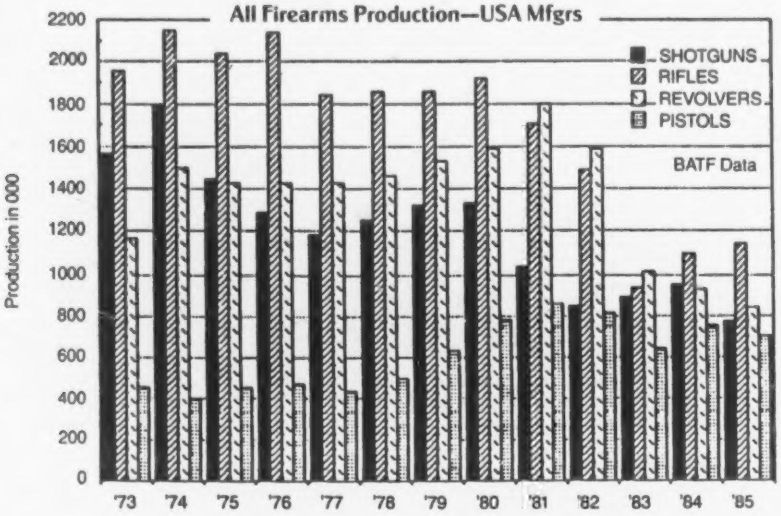
About the author: Walter J. Howe is a researcher and consultant on firearms. He retired from Sturm, Ruger & Co., Inc. Southport, Conn. in October of 1984.

He joined SR & Co. in 1968 after the assassination of Senator Robert Kennedy, at the invitation of the Chairman, W. B. Ruger, to advise on firearms legislation and related matters. In 1974 he was appointed Vice President for Manufacturing of the Headquarters Plant in Southport, to reorganize the operation. Subsequent to a heart attack he became Special Projects Administrator (1978) involved in product liability, legislative analysis and liaison, and corporate marketing data analysis. While with SR & Co., he represented the company to the industry association (SAMMI) on the Legislative and Legal Affairs Committee and the Executive Committee.

Other firearms related affiliations include: Editor of The American Rifleman magazine, and Director of the NRA Editorial and Technical Divisions from 1953 to 1966; Asst. Director of Research & Devel., Marlin Firearms Co.; Gun Editor/Editorial Director, Hunting & Fishing Magazine; author of textbook, "Professional Gunsmithing"; fellow criminalistics American Academy of Forensic Sciences; founding president (1969) and now distinguished member of Association of Firearms and Tool Mark Examiners.



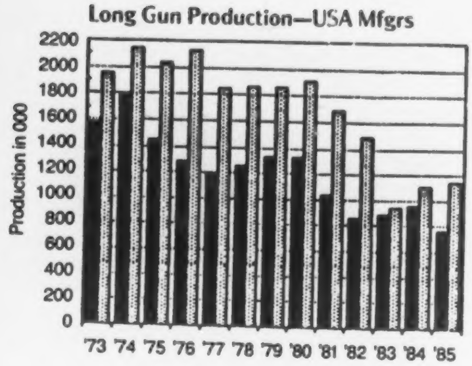
All Firearms Production—USA Mfgrs



All Firearms Production—USA Mfgrs

EACH FIREARM TYPE as a % of Total Production

YEAR	Shotgun %	Rifle %	Pistol %	Revolver %
1973	30	38	9	23
1974	31	37	7	25
1975	27	38	8	27
1976	24	40	9	27
1977	24	38	9	29
1978	25	36	10	29
1979	25	34	12	29
1980	24	34	14	28
1981	19	32	16	33
1982	18	31	17	34
1983	26	27	18	29
1984	26	29	20	25
1985	22	33	21	24



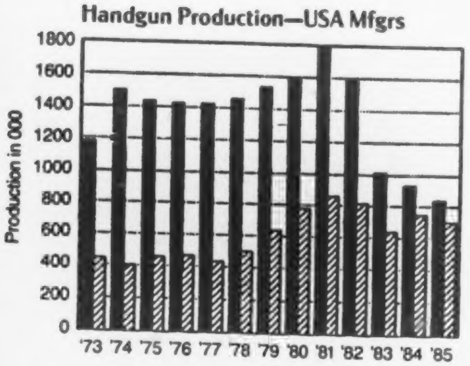
Long Gun Production—USA Mfgrs

■ SHOTGUNS
▨ RIFLES

BATF Data

SHOTGUNS and RIFLES as a % of Total Long Guns

YEAR	% Shotguns	% Rifles
1973	45	55
1974	45	55
1975	41	59
1976	38	62
1977	39	61
1978	40	60
1979	42	58
1980	41	59
1981	38	62
1982	36	64
1983	49	51
1984	46	54
1985	40	60



Handgun Production—USA Mfgrs

■ REVOLVERS
▨ PISTOLS

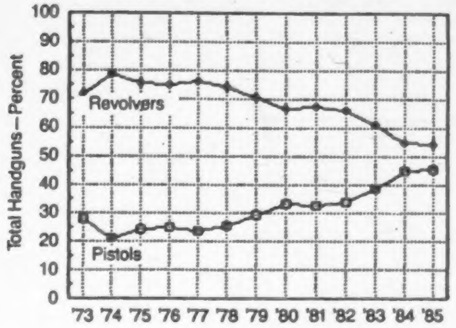
BATF Data

PISTOLS and REVOLVERS as a % of Total Handguns

YEAR	% Pistols	% Revolvers
1973	28	72
1974	21	79
1975	24	76
1976	25	75
1977	24	76
1978	26	74
1979	29	71
1980	33	67
1981	32	68
1982	34	66
1983	39	61
1984	45	55
1985	46	54

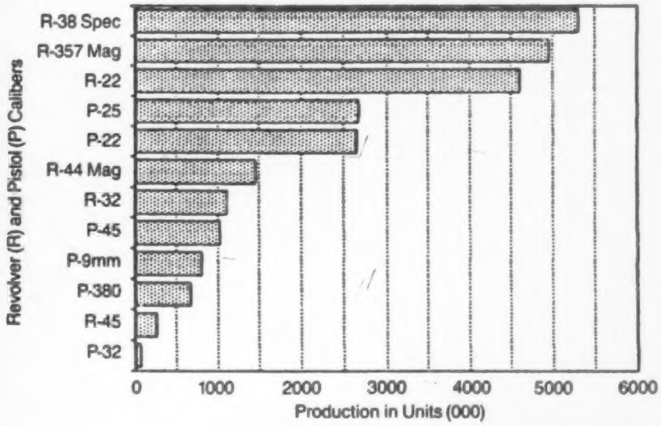
PISTOLS & REVOLVERS PERCENT OF TOTAL HANDGUNS

U.S. Production 1973 thru 1985



U.S. HANDGUN PRODUCTION TOTAL by CALIBERS

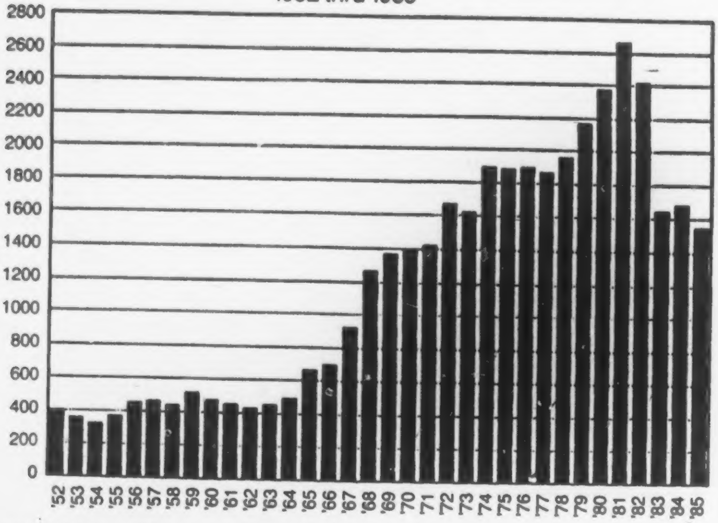
For the Years 1973 thru 1985



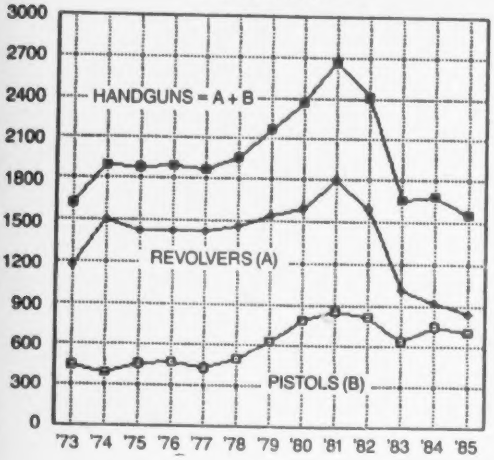
Caliber	Prod(000)
R-38 Spec	5304
R-357 Mag	4962
R-22	4600
P-25	2677
P-22	2670
R-44 Mag	1471
R-32	1103
P-45	1015
P-9mm	812
P-380	676
R-45	251
P-32	60

Pistol, Revolver and Handgun Production and Exports, 1973–1985 (13 years)

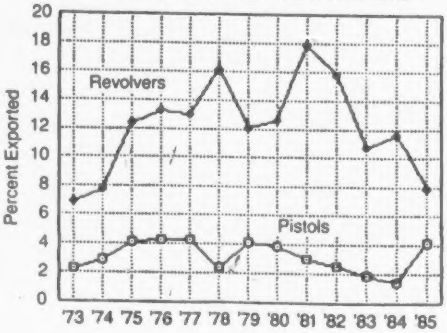
YEAR	PIST Produced	PIST Exported	PIST % Export	REV Produced	REV Exported	REV % Export	HANDGUN Prod	HAND Export	HAND % Export	HANDGUN Prod - Export
'73	452,332	10,292	2.28	1,170,966	79,897	6.83	1,623,298	90,189	5.56	1,533,109
'74	399,011	11,350	2.85	1,495,861	116,189	7.77	1,894,872	127,539	6.73	1,767,333
'75	455,267	18,836	4.14	1,425,833	175,656	12.32	1,881,100	194,492	10.34	1,686,608
'76	468,638	19,746	4.22	1,425,407	189,619	13.31	1,894,045	209,365	11.06	1,684,680
'77	440,387	18,699	4.25	1,423,984	184,853	12.99	1,864,371	203,552	10.92	1,660,819
'78	499,257	12,017	2.41	1,458,013	235,798	16.18	1,957,270	247,815	12.67	1,709,455
'79	633,713	26,274	4.15	1,532,908	185,642	12.11	2,166,621	211,916	9.78	1,954,705
'80	783,480	30,699	3.92	1,586,149	200,733	12.66	2,369,629	231,432	9.77	2138,197
'81	857,832	25,485	2.97	1,799,133	320,732	17.83	2,656,965	346,217	13.03	2,310,748
'82	816,356	20,619	2.53	1,593,231	251,853	15.81	2,409,587	272,472	11.31	2,137,115
'83	642,458	12,121	1.89	1,010,609	108,889	10.78	1,653,067	121,010	7.32	1,532,057
'84	754,193	10,328	1.37	925,516	107,010	11.57	1,679,709	117,338	6.99	1,562,371
'85	706,542	28,998	4.11	843,529	65,816	7.82	1,550,071	94,814	6.12	1,455,257
TOTAL	7,909,466	245,464	3.11	17,691,139	2,222,687	12.57	25,600,605	2,468,151	9.65	23,132,451



U.S. HANDGUN PRODUCTION in thousands (000)
1952 thru 1985

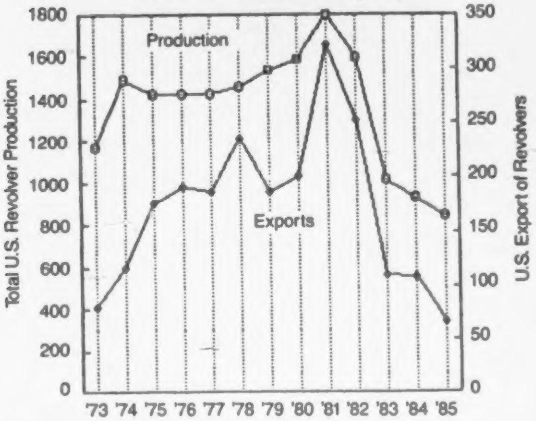


U.S. HANDGUN PRODUCTION in thousands (000)
1973 thru 1985

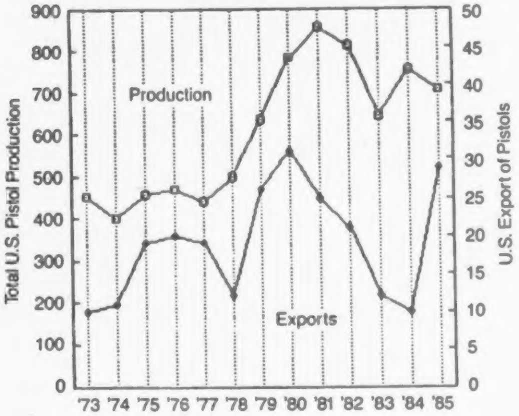


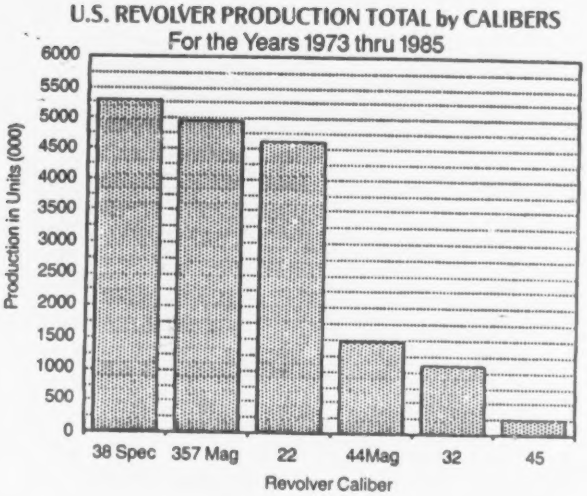
PISTOLS & REVOLVERS EXPORTED 1973–1985
As a Percent of Total U.S. Production

U.S. PRODUCTION & EXPORT of REVOLVERS
1973 thru 1985 in Units (000)



U.S. PRODUCTION & EXPORT of PISTOLS
1973 thru 1985 in Units (000)

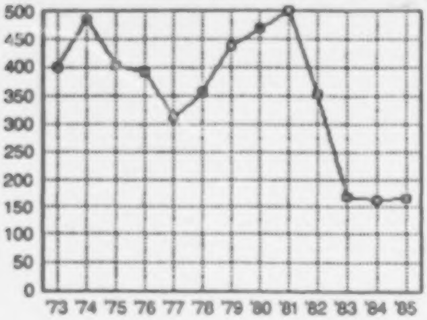



U.S. REVOLVER PRODUCTION TOTAL by CALIBERS
For the Years 1973 thru 1985

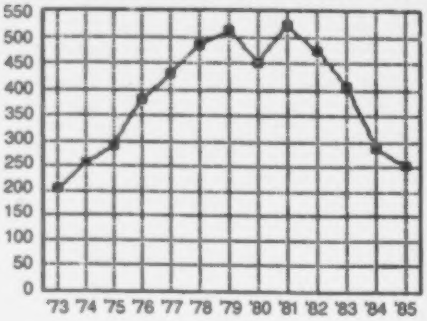
Revolver Production by Caliber, 1973–1985

YEAR	22	32	38 Spec.	357 Mag.	44 Mag	45	Total
'73	401,388	112,593	407,884	206,387	31,521	11,193	1,170,966
'74	483,154	177,721	508,653	258,543	55,217	12,573	1,495,861
'75	402,635	107,444	535,604	292,937	76,264	10,949	1,425,833
'76	390,213	91,091	475,752	380,291	65,827	22,233	1,425,407
'77	311,206	41,166	514,718	431,481	99,648	25,765	1,423,984
'78	355,654	40,571	432,611	484,782	124,675	19,720	1,458,013
'79	437,028	75,901	342,647	511,594	127,082	38,656	1,532,908
'80	468,035	169,362	324,365	449,313	138,711	36,363	1,586,149
'81	500,137	120,531	450,714	523,955	171,723	32,073	1,799,133
'82	352,059	62,528	531,906	475,012	153,674	18,052	1,593,231
'33	169,226	23,735	272,704	404,767	133,224	6,953	1,010,609
'84	162,095	46,657	287,088	290,170	134,972	4,534	925,516
'85	166,690	34,186	219,217	252,979	158,728	11,739	843,529
Total	4,599,510	1,103,486	5,303,863	4,962,211	1,471,266	250,803	17,691,139

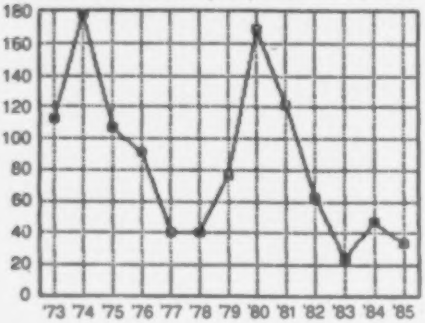
U.S. REVOLVER PRODUCTION—Cal. .22
Units in Thousands (000)—1973 thru 1985



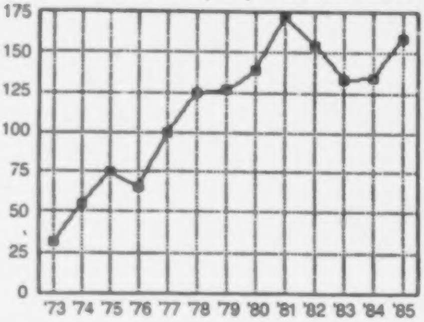
U.S. REVOLVER PRODUCTION—Cal. .357 Mag.
Units in Thousands (000)—1973 thru 1985



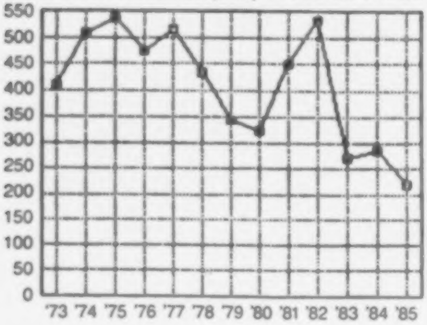
U.S. REVOLVER PRODUCTION—Cal. .32
Units in Thousands (000)—1973 thru 1985



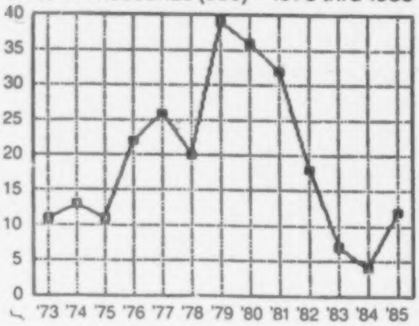
U.S. REVOLVER PRODUCTION—Cal. .44 Mag.
Units in Thousands (000)—1973 thru 1985

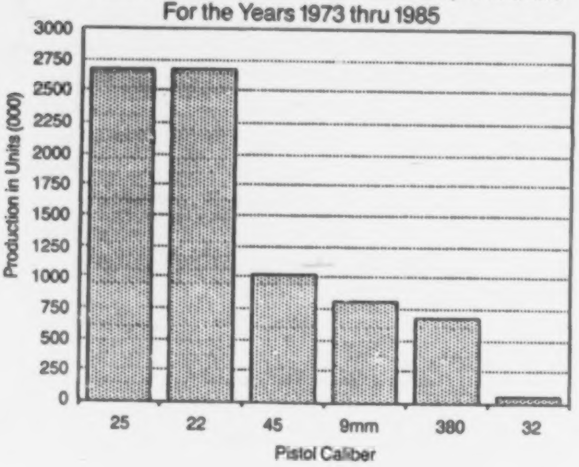


U.S. REVOLVER PRODUCTION—Cal. .38 Spl.
Units in Thousands (000)—1973 thru 1985



U.S. REVOLVER PRODUCTION—Cal. .45
Units in Thousands (000)—1973 thru 1985




U.S. PISTOL PRODUCTION TOTAL by CALIBERS
For the Years 1973 thru 1985

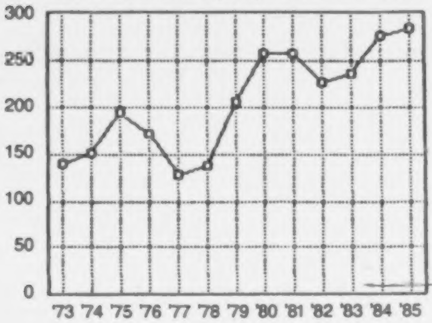
Pistol Production by Caliber, 1973–1985

YEAR	22	25	32	380	9MM	45	Total
'73	141,251	215,591	1,228	28,802	34,461	30,999	452,332
'74	150,633	114,544	1,525	22,436	44,929	64,954	399,011
'75	195,248	118,249	1,665	34,868	56,389	48,848	455,267
'76	173,455	112,598	748	52,187	68,715	60,935	468,638
'77	129,343	111,363	1,145	42,480	73,417	82,639	440,387
'78	138,395	159,032	1,813	31,902	59,445	108,670	499,257
'79	206,101	192,181	2,260	50,665	64,324	118,182	633,713
'80	255,772	299,083	6,542	60,991	72,725	88,367	783,480
'81	256,877	332,766	4,979	90,199	77,812	95,199	857,832
'82	226,877	328,459	4,968	66,723	91,137	98,192	816,356
'83	237,053	248,182	6,240	52,184	42,513	56,286	642,458
'84	275,242	245,749	4,220	80,632	71,046	77,304	754,193
'85	284,072	198,719	22,527	61,660	55,252	84,312	706,542
Total	2,670,319	2,676,516	59,860	675,719	812,165	1,014,887	7,909,466
% →	33.8	33.8	0.8	8.5	10.3	12.8	100%

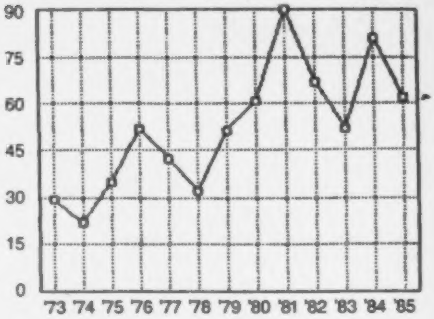
[illegible]

≤ .32 total
1973-74 calibed 1799628 3,518,178
51.2%

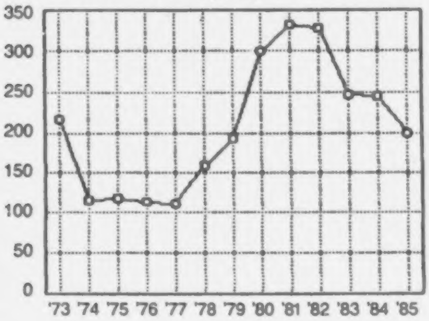
U.S. PISTOL PRODUCTION—Cal. .22
Units in Thousands (000)—1973 thru 1985



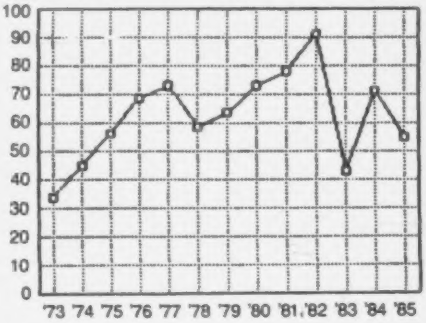
U.S. PISTOL PRODUCTION—Cal. .380
Units in Thousands (000)—1973 thru 1985



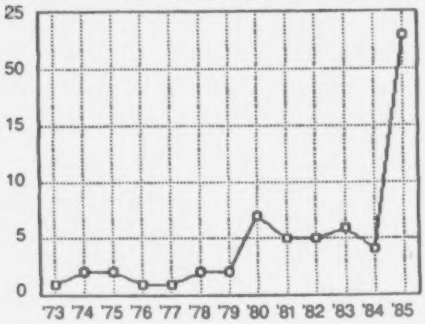
U.S. PISTOL PRODUCTION—Cal. .25
Units in Thousands (000)—1973 thru 1985



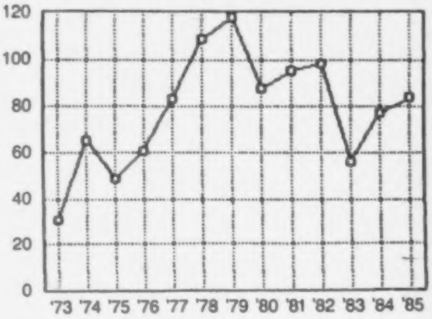
U.S. PISTOL PRODUCTION—Cal. 9mm
Units in Thousands (000)—1973 thru 1985



U.S. PISTOL PRODUCTION—Cal. .32
Units in Thousands (000)—1973 thru 1985



U.S. PISTOL PRODUCTION—Cal. .45
Units in Thousands (000)—1973 thru 1985



Handgun Production by U.S. Manufacturers

BATF figures show that approximately 25,600,000 handguns were produced by U.S. manufacturers in the period 1973–1985 inclusive. The 40 firms listed here (out of the total of 50-plus firms whose reports were analyzed) manufactured about 99% of them. The three leading makers alone produced 58% of the total of domestically made pistols and revolvers. A few of the firms listed are now out of business. A small number of handgun manufacturers do not appear in the listing because their total production in the 1973–1985 period is less than the 10,000 units arbitrarily settled on for inclusion in this array. Several of the listed companies manufacture handguns under brand names, rather than their own name. As example, Ranger produces a Walther pistol.

NOTE: Due to rounding of individual manufacturers' totals in the listing (to eliminate the 000's) the total for the listed firms is slightly more than the 25.6 million basic total. This difference is of no significance. Indeed, throughout the tables, graphs and text in this presentation, rounding of numbers has been the general practice. Such a practice makes for easier reading and introduces no distortion in the 'picture'.

The totals in the above listing were arrived at by adding together the figures from the BATF Quarterly Firearms Manufacturing and Exportation Reports for the years noted for each manufacturer. Except for very small-volume manufacturers who need report only in the year's last quarter, all other active manufacturers should appear in each of the four quarters. In a few instances over the thirteen year period analyzed, one or another of the manufacturers' reports did not show in a printout. Whether the production totals for a missing quarter were included by the manufacturer in his subsequent report cannot be determined by examining reports. However, the instances of missing reports were so few for most manufacturers, it would seem that no listed manufacturer's total is 'low' to any significant degree.

Handgun Production by U. S. Manufacturers

Manufacturer	Production in Thousands	Years Covered
Smith & Wesson	7,772	73-85
Sturm, Ruger	4,379	73-85
Colt	2,842	73-85
H & R	1,500	73-85
RG Industries	1,419	73-85
Raven Arms	1,056	73-85
F I & E	995	73-85
Peat Mfg.	772	77-84
Charter Arms	769	73-85
High Standard	479	73-83
Excam	422	75-85
Dan Wesson	419	73-85
Sterling Arms	334	73-84
Jennings Firearms	289	80-85
Beretta USA	260	80-85
North American	239	75-85
Thompson/Center	227	73-85
Bauer	179	73-83
Arcadia	157	77-85
Iver Johnson	156	73-85
F I Industries	145	72-79
RB Industries	116	73-82
Arms Technology	100	73-85
Freedom Arms	94	79-85
Interarms	89	76-84
Ranger Mfg.	81	73-85
Davis Industries	74	83-85
Essex Arms	50	73-85
Stoeger Luger	50	72-76
RPB Industries	32	73-82
Remington	26	73-85
Bellmore/Johnson	25	79-85
Detonics	24	77-85
Butler Mfg.	20	80-84
Interdynamic	19	81-84
Tally Corp.	13	85
Auto Ordnance	12	77-85
S. W. Daniel	11	83-85
Serrifle	11	84-85
Universal Firearms	11	73-85

Mr. Kleck. There is only one source of information on this and it only indicates one thing: gun sales have been declining for the last decade.

Col. Supenski. Well, in Baltimore County, we register about 3900 new guns a year——

Mr. Kleck. Registrations don't indicate gun ownership——

Col. Supenski. No, in fact, it doesn't——

Mr. Kleck [continuing]. They indicate registration.

Col. Supenski [continuing]. What it does tells you is how many guns are legally bought. It doesn't tell you about the 1.5 unregistered handguns sold for every one (1) handgun purchased by people with a licensing provision.

His business about two armed people who somehow now gently dance around each other? Have you ever been in a gun fight? Have you ever been shot at?

Mr. Kleck. And how would that change——

Col. Supenski. Let me tell you something, that does——

Mr. Kleck [continuing]. My view of it?

Col. Supenski. Well, I will tell you something, it would change——

Mr. Kleck. Would it change reality somehow?

Col. Supenski [continuing]. Your view drastically if you had been in an armed confrontation and you let someone point a gun at you. You tell them that we dance around them.

Mr. Kleck. In the exact situation——

Col. Supenski. That belies what a gun——

Mr. Kleck [continuing]. Describing the fraction of people who actually attack one another is lower than when they were dancing around one another with fists or knives. That is what the facts indicate.

I am sorry they are inconvenient——

Col. Supenski. Well, there are about 500,000 police officers——

Mr. Kleck [continuing]. With your argument, but there is only one set of facts on these.

Col. Supenski [continuing]. In the United States today who would drastically differ with you. The waltz that we perform is a little bit different or we are listening to a different band.

Mr. Kleck. How could they know? How could they differ? If they have been in that assault, how could they compare it with an assault they hadn't been in? I mean, you can't infer that from individual experience in a single case.

The point is——

Col. Supenski. You can infer from looking down the barrel of a gun——

Mr. Kleck [continuing]. There is a comparison between gun assaults and knife assaults. If they have each been in a thousand of each, I would say, hey, you know, you can judge a lot from a person's——

Col. Supenski. We face knives——

Mr. Kleck [continuing]. Experience.

Col. Supenski [continuing]. Guns, clubs, knuckles, and I am telling you something.

Chairman Miller. As much as it is the intent of the Chair——

Col. Supenski. There is no music in that dance.

Chairman MILLER. As much as it is the intent of the Chair to stimulate exactly this kind of discussion, I am going to have to tell you that the clock has run.

Mr. Kleck, we will take the BATF statistics and they will be made part of this record. It is the purpose of this hearing.

Maybe it points out one thing, that there is a good portion about guns that we don't know in this society. Because, I don't know, but I would be surprised if we learn a lot about guns from gun sales and/or registration about the true movement of guns, because I think most of the people that Detra was discussing aren't either being tracked in terms of sales and/or registration of those guns.

Obviously, an emotional subject, one that we will continue to pursue because I am still not persuaded that we are not dealing with a very serious public health problem here with respect to young people for a whole host of reasons.

But nevertheless, there still seems to be a fairly common element here in terms of the damage that is done, and that is, in fact, the firearm, in whoever's hands it may be.

With that, the committee is going to——

Mr. SMITH of Vermont. Mr. Chairman?

Chairman MILLER. Yes.

Mr. SMITH of Vermont. Could I just add—if I could, if it is appropriate, would you find it acceptable if we asked these witnesses to submit any specific recommendations they have——

Chairman MILLER. Oh, let me say, absolutely, that——

Mr. SMITH of Vermont [continuing]. And ideas because——

Chairman MILLER [continuing]. Both recommendations and, to the extent to which the witnesses want to examine one another's testimony and draw issue with it, that will be helpful to the members of this committee also.

So let me thank you very much for your presence and for your help to the committee, and with that, the committee will stand adjourned.

[Whereupon, at 12:50 p.m., the select committee was adjourned, to reconvene subject to the call of the Chair.]

[Material submitted for inclusion in the record follows:]

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June 28, 1989

William D. Weisenburger, Jr.
Assistant Principal
Stonewall Jackson High School
Manassas, VA 22110

Dear Mr. Weisenburger:

before the Select Committee on Children, Youth, and Families at our hearing, "Children and Guns," held here in Washington on June 15. Your testimony was, indeed, important to our work.

The Committee is now in the process of preparing the transcript for printing. It would be helpful if you would go over the enclosed copy of your remarks to assure that they are accurate, and return the transcript to us within by July 10 with any necessary corrections.

In addition, Representative Peter Smith has requested that each witness forward any legislative recommendations they may have. So that your recommendations may be included in the printed record, please return them with the transcript.

Let me again express my thanks, and that of the other members of the Committee. Your participation contributed greatly toward making the hearing a success.

Sincerely,

GEORGE MILLER
Chairman
Select Committee on Children,
Youth, and Families

GM/j

Enclosures

TO: Chairman George Miller
Mr. Thomas Bliley
FROM: Mr. William Weisenburger
RE: Response to Transcripts and Firearms Legislation

The transcripts of my testimony and response to questions was accurate. However, I would like to make a few additional comments and forward some thoughts regarding legislation.

The Committee hearings re-emphasized the fact that the issue of firearms ownership by the American public is a very complex and multi-faceted one. The injuries inflicted on young people cannot be categorized into one neat, easily controlled package. The complexity of the issue had members of the Committee and the panel comparing "apples and oranges". Youth suicide, an extremely important issue to all educators should not be discussed in relation to injuries inflicted on members of the drug trade. Suicide is a problem related to low self-esteem, depression and dysfunctional families. Suicide needs to be approached from the stand point of suicide prevention not gun control. Suicides can be prevented by watching for warning signs, recognizing at-risk students and educating family and friends about the issue. Likewise, accidents need to be separated from both suicide and crime. Accident prevention in any setting is largely a function of education and familiarization with equipment being used and proper safety precautions and practices for operation.

The issue is made more complex by differing points of reference. In reviewing the transcripts, it appears that when Mrs. Boxer asked me for " one good reason " to own a handgun she was referring to a so called "Saturday Night Special". I responded from my frame of reference which is competitive handgunning and handgun hunting. Handguns for those purposes are neither cheap nor of low quality. Many of the handguns used in these endeavors are the handguns used by police and military or are of a similar style though modified for extreme accuracy and reliability.

Similar reference problems arise in trying to compare my perspective with the perspective of an emergency room doctor. I would expect them to see injured people, that is their profession. People go to hospitals when they are hurt not when they are relaxing. The doctors were at odds with the statistics. The actual number of cases probably is on the rise, but the percentage of injuries per thousand in the population is shrinking. Population growth is outstripping the increase in violence. A larger section of the population is behaving more responsibility. A healthy trend, I think. The doctors point of view is no doubt colored by seeing injured children everyday, but that point of view may not be accurate from a purely factual reference point. I would challenge the doctors to get out of the emergency room and visit a shooting range, shoot a round of skeet and socialize with the members of the club.

I agree with Mrs. Boxer, it is very hard to see self-esteem in "a kid that shot himself in the head". He had little self-esteem when he shot himself and probably no family support, the lack of which put him in the position to feel that suicide was the answer. That was my point, engaging in the shooting sports with family, friends or other caring adult role models may have given the suicide victim the outlet to seek help or the self-esteem needed to overcome the feelings that led to suicide.

As I stated in my testimony I agree with Mr. Durbin that a "wild west" mentality has no place in today's society. I also agree that misuse of a firearm can put a criminal on equal footing with a policeman or a Principal. On the other hand, a gun in the hands of a woman familiar with it's use is on equal footing with a rapist or a group of sociopaths out "wilding".

The issue of crime is probably the most complex and it certainly gets the most attention. It is an economic as well as social problem. Detra pointed out that her friends that carried weapons were involved in the drug trade. Pushers with money, clothes and cars are the role models. Kids see "easy" money all of the time. "Get rich quick" schemes are on TV, athletes make millions to play a game, lotteries promise to make the common man into an instant millionaire and "white collar" criminals go to country clubs to serve time for crimes that affected millions of people . Moms and Dads that work all day, come home sweaty and tired and make enough to feed and house the family with little left for luxuries barely stand a chance.

It can come as no surprise that the homicide rate for children under nineteen is rising. It is rising by the design of adult criminals getting young people involved in the trade due to the obvious advantages of employing the young for illegal activities. Surely it is no surprise that young children would be used in the trade as they are tried at the juvenile level, serve juvenile punishments and therefore get away with adult crimes and make adult money for "free". Children involved in adult crimes for adult reasons need to be treated as adults, not as children.

Guns don't create the crime they become a tool to carry out the trade. Eliminate the guns and the crime will remain, however, eliminate the crime and the criminal misuse of the guns will stop because there will be no demand for guns to be used illegally. The thought of banning guns from the general population to keep guns off the street is naive. A drug importer that can smuggle tons of drugs into the country every month can certainly smuggle tons of arms.

I feel there are ways to help parts of the situation with legislation aimed at keeping legally purchased weapons out of the hands of criminals and people that may not be able to make the right choices concerning firearms use. Even though I am a Life Member of the NRA I support this type of legislation. However,I would oppose legislation if it limits the types of firearms available to the public or if I perceive it as being designed to limit the segment of the public that has the financial means to own and operate firearms.

PROPOSED LICENSING OF FIREARMS OPERATORS

I would propose that the Federal Government create preemptive legislation to license the users of firearms.

1. All firearms users would be required to have a firearms operators license.

2. All applicants for the license would need to complete a firearms safety and familiarization course.

3. All applicants would need to pass a test at the time of application covering firearms safety, laws regarding firearms and general knowledge of firearms.

4. All applicants would be subjected to a background check at the time of application.

5. Licenses would be renewed every other year.

6. Licenses would contain a picture and physical description of the holder.

7. The license would need to be presented at the time of purchase of a firearm, ammunition, firearms hunting licenses and at the registration for shooting competitions. Gun club members would be required to have a license before being allowed to use facilities without direct supervision.

8. Non-licensed persons should be allowed to shoot under the supervision of a licensed operator to learn the sport and prepare for the test.

9. Licenses would be temporarily or permanently revoked for violation of firearms laws, misuse of a firearm, conviction of a felony.

10. Licenses would not be issued to people not eligible for firearms ownership under current law.

11. Different levels of firearms ownership could be established. The basic license could cover long guns, the more advanced license covering handguns, "assault rifles" and the more advanced weapons.

12. Holding a firearms license should be a basic requirement for a law enforcement officer and be a part of military training.

To make a proposal such as the above palatable to the NRA and the firearms owning public some other points would need to be addressed. A proposal such as this would need to be at the Federal level and need to preempt all local and state laws. Such a move would clear up many confusing situations gun owners now encounter. Hunters traveling across country would not be violating any local and state laws. People relocating to a new state would not need to forfeit their firearms due to differing laws.

The licensing fees cannot be designed to preclude ownership of firearms. They need to be reasonable and consistent. The advanced permit cannot be more expensive to reduce the number of advanced operators. Licensing fees should be used to fund firearms safety classes and cover expenses of the licensing program.

All interests should be encouraged to participate in the formation of tests and curriculum for courses including the NRA and Handgun Inc. The license would be a significant piece of documentation to the owner of a firearm and to the people associated with the owner. It would represent training in the use of a firearm. At the range, I could reasonably assume that all those shooting around me had the same basic training I have in the use of a firearm. It could be a valuable piece of evidence or lack of evidence in a liability suit concerning the alleged misuse of a firearm. It could represent another method of putting people away that do not belong on the street, i.e. possession of a firearm without a proper operators license.

I feel that legislation as outlined above would be a significant step in helping alleviate accidental shootings, shootings by repeat offenders, and would help keep guns out of the hands of people not capable of making the right decisions regarding firearms ownership.

The problem needs to be attacked from other directions as well. Treat criminals like criminals not like children. Impose mandatory sentencing for the use of any weapon, not just firearms, in a crime. Reduce demand for crime by making it very unattractive and very high risk to the perpetrator. Propose and fund education programs to teach safety and familiarization with firearms. Treat the causes of suicide as a method of suicide prevention. Trying to ban the instrument of suicide is naive, how do we ban ropes, kitchen knives and prescription drugs.

ONE HUNDRED FIRST CONGRESS

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June 28, 1989

Colonel Leonard Supenski, Chief
Crime Prevention Bureau
Baltimore County Police Department
7209 Bel Air Road
Baltimore, MD 21206

Dear Chief Supenski:

I want to express my personal appreciation to you for appearing before the Select Committee on Children, Youth, and Families at our hearing, "Children and Guns," held here in Washington on June 15. Your testimony was, indeed, important to our work.

The Committee is now in the process of preparing the transcript for printing. It would be helpful if you would go over the enclosed copy of your remarks to assure that they are accurate, and return the transcript to us within by July 10 with any necessary corrections.

In addition, Representative Peter Smith has requested that each witness forward any legislative recommendations they may have. So that your recommendations may be included in the printed record, please return them with the transcript.

Let me again express my thanks, and that of the other members of the Committee. Your participation contributed greatly toward making the hearing a success.

Sincerely,

GEORGE MILLER
Chairman
Select Committee on Children,
Youth, and Families

GM/j

Enclosures

BALTIMORE COUNTY POLICE DEPARTMENT

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Cornelius J. Behan
Chief of Police

Dennis F. Rasmussen
County Executive

June 22, 1989

Honorable George Miller
Chairman
Select Committee On Children, Youth,
and Families
H2-385 HOB Annex 2
Washington, D.C. 20515-6401

Dear Mr. Chairman:

Thank you again for the opportunity to appear before the Committee on June 15, 1989. In response to your and Congressman Peter Smith's request for recommendations and/or additional data, I have enclosed the following.

I hope this information is of assistance to the Committee as it seeks to find answers to some widespread and dangerous dilemmas.

Sincerely,

L J Supenski

Colonel Leonard J. Supenski
Chief, Crime Prevention Bureau
Baltimore County Police Department
7209 Belair Road
Baltimore, MD 21206

LJS:DH:cg

A NATIONALLY ACCREDITED LAW ENFORCEMENT AGENCY

RECOMMENDATIONS

With regards to the Committee's call for recommendations to reduce firearms related violence to children, youth and families in America, I would proffer the following:

- Action must be taken along three fronts: legislative, educational and economic.
- Effort to enact **reasonable firearms control legislation** at the federal level must be taken. By reasonable, I mean, laws that balance an individual's freedom to own and possess firearms for sporting and/or self-defense purposes with society's need to be protected from illegitimate or irrational firearms use. For example:
  - A 7 day waiting period to allow for "cooling off" and a background check to be completed. The "Brady Bill" (H.R. 467) would do just that.
  - Outlaw the manufacture of cheaply made, easily concealable "Saturday Night Specials" as well as deadly and socially useless assault weapons. Sportsmen and homeowners have no need of them.
  - Licensing and certifications of firearms purchasers: you need a license for a motor scooter, but not a Magnum? B.A.T.F. can draft uniform regulations to be implemented in all 50 states, territories, and possessions.
  - Tighter control of those possessing Federal Firearms Licenses especially as that applies to Administrative inspections by B.A.T.F.
  - Stiff and mandatory penalties for the criminal use of firearms. (This really works best at the federal level. In drug enforcement, **state** drug cases are being deferred in favor of **federal** weapons charges).

  Note: Outright bans are not favored by a majority of the public. Such legislation is sporadic and really doesn't produce much. There is not much support of such measures (with the exception of the "Saturday Night Specials" and assault weapons) among law enforcement groups. Somewhere between the gun lobby's desire for an unfettered, unrestricted access to any kind of firearm to almost anyone ("an armed society is a polite society") and the anti-gun lobby's position that all firearms are evil per se and should only be authorized for the police and military in our society, is a great deal of middle ground. A lot of reasonable, logical and double things are lost because we don't walk that middle ground.

Now, Dr. Kleck's assertion that private sales for firearms are actually dropping is somewhat - shall we say - misleading. They may have leveled off or reached a temporary plateau. However, you must look at the base line figure. When you consider all firearms sales since 1900 (especially from 1959 through 1979) the trend is most definitely up - Dr. Kleck's "research" notwithstanding.

Sources:

- "Firearms and Violence in American Life: A Staff Report, National Commission on the Causes and Prevention of Violence," Washington, D.C.: National Commission on the Causes and Prevention of Crime, 1969.
- Wright, James D., Peter H. Rossi, and Kathleen Daly. "Under the Gun: Weapons, Crime, and Violence in America," N.Y., N.Y.: Aldino, 1983.
- Zimmering, Franklin E., and Gordon Hawkens, *The Citizens Guide to Gun Control*, N.Y., N.Y.: Macmillan Publishing, 1987.

A DOMESTIC ARMS RACE?

During the June 15, 1989 informational hearing before the Select Committee on Children, Youth, and Families, testimony was presented by Gary Kleck, Ph.D., that would infer that sales of firearms have decreased ergo there is nothing to be alarmed about. While it is true that some sales have leveled off on a state by state basis (others have gone up) in recent years, that fact must be put into perspective.

According to the report of the 1968 Task Force on Firearms and a more recent report by Wright, Rossi and Daly (a source often quoted as gospel by the National Rifle Association) it is clear that we have seen a dramatic increase in the private ownership of firearms since the turn of the century.

- In 1968, there were an estimated 90,000,000 firearms in private hands.
- Today, that figure is closer to 160,000,000.
- Between 1900 and 1948 about 10 million firearms per decade were added to the domestic supply. From 1949 to 1958, that figure doubled with nearly 20 million firearms per decade being added to the domestic supply. Between 1959 and 1968 it tripled and nearly 30 million firearms per decade were being added to the domestic supply. During this last period, handgun sales alone quadrupled.
- Between 1969 and 1978, some 65 million new firearms were added to the domestic supply - twice the number that existed in the previous decade.
  - Of that figure, handgun productions and sales increased noticeably, with approximately 2.4 million handguns available on the civilian market each year (one handgun is manufactured every 19.5 seconds).
  - Since 1968, we have added 24 million handguns to the domestic supply.
  - Sales of handguns to females from 21 to 50 years of age comprise nearly one quarter of all new handgun sales: indeed product lines are now developed exclusively for women.
- Most people now report purchasing weapons not for sporting purposes but for self-defense.

o **Education** aimed at reducing firearm injury and death must be made a priority. I'm not just talking about traditional "gun safety/range safety" courses - something the NRA did rather well before they became a political action organization. We need to educate three specific audiences: gun owners, potential gun owners and people who are "noninformed" nonowners - primarily parents. Specifically, education must focus upon:

- Responsible ownership
- Legal issues/civil liabilities
- Moral/ethical decisions involved in shooting (can I pull the trigger? Can I kill someone?)
- "Child proofing" firearms
- Burglar proofing firearms
- Physical requirements (am I able to master their use?)
- Options to firearms ownership (i.e. the area of crime prevention - how not to become a victim, reduction of opportunities for crimes to occur, less-than-lethal weapons, etc.). Yes, there are alternatives and they address the key concern behind the proliferation of firearms - fear.
- Model K through 12 school programs aimed at 1) deglamorizing and demystifying guns and 2) dispute resolution that involves techniques that don't resort to firearms or any other form of violence.
- Programs at middle and high school levels that "gun proof" the child - what to do if they actually come upon the firearm itself (we must deal with the nearly 200,000,000 firearms present in 50% of all American households).

Note: Just as Congress authorizes and appropriates funds for Chapter I schools in impoverished, disadvantaged areas and monies for such programs as Head Start, it can provide federal funding to state and local school districts for exemplary programs to combat firearms violence.

Funds for this could be channeled through either the Department of Education, Department of Justice or other interested agency. Monies need not go only to schools; community groups could also be recipients. This is particularly true of urban areas. Programs should be tailored to the local communities' needs. What works in a white middle-class suburb may not work in a disadvantaged and poor minority community. A program will work only if the message is one the intended audience can understand. The exemplariness of the program should be judged on how it will work in the specific area into which it is going, not on some relatively simplistic, easy to implement quick fix (such as the NRA's one-size-fits-all, "Gee Mom! We found Uncle Fred's pistol" coloring book).

Additionally, any educational effort to resolve firearms violence must consider drug demand reduction: that guns and drugs are intricately intertwined goes without saying. Your young witness, Miss Detra J., was most eloquent in that regard. Illegal drugs are a big business - last year it grossed more than IBM, Exxon, and Phillip Morris combined. What drives any business is supply and demand. We are already concentrating much money and time towards supply reduction. We must hit the other side of this equation. Programs such as D.A.R.E. America need to continue and expand: they work.

o Lastly, we must consider the impact of economics. People need to learn skills for tomorrow's job market. How can we expect people making only $3.35 an hour - current minimum wage to 1) make an honest living, and 2) act as role models for our youth? Given our national demographics, there is no such thing as a "throw-away" youth. Job programs, real job and skills training, a decent minimum wage - these are but the basic steps needed if we are to avoid more of what young Detra J. spoke of. We are moving away from the traditional "diamond" shaped model of economic classes: few in the upper class, many in middle class and a few economically impoverished at the bottom. The new model is now "hour glass" shaped: The have(s) at the top and the have not(s) at the bottom. It doesn't take a rocket scientist to determine that this is an explosive situation.

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June 28, 1989

Gary Kleck, Ph.D.
1003 Piedmont Drive
Tallahassee, FL 32312

Dear Dr. Kleck:

I want to express my personal appreciation to you for appearing before the Select Committee on Children, Youth, and Families at our hearing, "Children and Guns," held here in Washington on June 15. Your testimony was, indeed, important to our work.

The Committee is now in the process of preparing the transcript for printing. It would be helpful if you would go over the enclosed copy of your remarks to assure that they are accurate, and return the transcript to us within by July 10 with any necessary corrections.

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Sincerely,

GEORGE MILLER
Chairman
Select Committee on Children,
Youth, and Families

GM/j

Enclosures

POLICY LESSONS FROM RECENT GUN CONTROL RESEARCH

GARY KLECK*

I
INTRODUCTION

In 1976, a review of policy research on gun control concluded that "the few attempts at serious work are of marginal competence at best and tainted by obvious bias."[1] It is hard to quarrel with this assessment, especially as it is applied to the most important and widely cited of the pre-1976 studies, the pro-control report to the Eisenhower Commission written by George Newton and Franklin Zimring.[2] Since that time, however, considerable scholarly work has been completed, much of it of high quality and relevant to policy-related questions surrounding the legal regulation of firearms.

Some researchers make the policy implications of their work explicit, while others modestly choose to "let the facts speak for themselves." All too often, policy-relevant gun control research has been characterized by perfectly respectable data and research methods, but also by interpretations of the findings which either do not follow from the evidence or which are too vaguely and generally phrased to be useful in making policy. This article reviews the body of recent gun control research and points out some of the more important, albeit tentative, implications for public policy.

Although a broader definition could be employed, the term "gun control" is used in this article to refer to laws aimed at limiting possession of firearms, either among the general public or among specific segments of the population. This definition includes laws requiring a license or permit to purchase, own, or possess guns and laws totally prohibiting civilian ownership of all guns or of specific types of guns such as handguns in general or "Saturday Night Specials" in particular. The term as used here does not cover laws regulating the *use* of guns, such as prohibitions against carrying them, firing them within city limits, or using them to further a crime (for example, laws mandating additional or enhanced penalties for use of a gun in the commission of a felony). Most such measures are not a significant part of the gun control debate. Indeed, the generally anti-gun control National Rifle

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[1] Bruce-Briggs, *The Great American Gun War*, 45 PUB. INTEREST 37, 37 (1976).

[2] G. NEWTON & F. ZIMRING, FIREARMS AND VIOLENCE IN AMERICAN LIFE (1969) (staff report to the National Commission on the Causes and Prevention of Violence).

Association strongly supports additional penalties for the use of guns in crimes.

II
THE RELATIONSHIP BETWEEN VIOLENCE AND THE AVAILABILITY OF GUNS

The first issue which must be addressed is why society should want to regulate firearms. This question is not as foolish as it may seem, since it is by no means obvious how, or even whether, the availability of firearms affects levels of violence. There are three ways in which the availability of guns might increase crime and violence: assault-instigating effects, crime-facilitating effects, and assault-intensifying effects. The term "assault-instigating effects" refers to the possibility that the sight of a gun, or possession of a gun, could stimulate or trigger assaults which otherwise would not have occurred. It has been asserted that stimuli commonly associated with aggression, such as guns, can elicit aggression from people ready to act aggressively, especially angry people. The literature on this subject has been reviewed elsewhere,[3] so only brief remarks are necessary here. The studies are almost equally divided between those concluding that there *is* a "weapons effect" and those indicating that there is not. In any case, the bulk of this literature is irrelevant to concerns about the effect of guns in actual assaults because of the artificiality of the circumstances in which the weapons effect experiments were conducted. Most of the studies involved laboratory experiments in which confederates of the experimenters angered subjects, who were then given an opportunity to act aggressively toward the confederates, for instance, by giving them electrical shocks during a "learning experiment." A gun would be present for some subjects and was either left unexplained (not associated with anyone in the experiment) or was associated with the confederate, the "victim" of the subjects' aggression. Even when experiments were done in naturalistic field conditions, the gun was never in the possession of, or otherwise associated with, the subjects whose aggression was being measured. Consequently, these studies at best simulate aggression *against* persons with guns. Even for this limited issue, however, it is highly doubtful that many people will accept the conclusion that angry people will be *more* likely to attack another person if the potential victim is armed. This conclusion contradicts too much real-life experience of police officers, soldiers, criminals, and ordinary civilians, who have successfully inhibited the aggression of others by the display of a firearm.

The weapons effect literature sheds little light on whether a person's possession of a gun or other weapon can trigger his or her *own* aggression. Currently, the available evidence is compatible with the assertion that guns are as likely to inhibit aggression as to stimulate it.[4] Although his finding may have other explanations, Philip J. Cook observed that robbers armed with guns are far less likely to assault their victims than either robbers armed with other weapons or unarmed robbers. Twenty-two percent of robbers with guns, thirty-nine percent of those with knives, sixty percent of those with other weapons, and seventy-four percent of unarmed robbers attacked their victims.[5] This is a commonplace finding, which agrees with earlier studies.[6] If guns trigger assaults among people ready to act aggressively in real life, this tendency certainly is not in evidence among robbers.

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[3] *See, e.g.*, Kleck & Bordua, *The Factual Foundation for Certain Key Assumptions of Gun Control*, 5 LAW & POL'Y Q. 271 (1983).

[4] *Id.* at 274-78.

The term "crime-facilitating effects" refers to the possibility that the possession of a gun may make possible or make easier a crime that a criminal already wanted to commit but might not have committed without the gun. For example, a gun can make it possible for a small man to attack a bigger man: "Colonel Colt made every man six feet tall." Similarly, a gun could facilitate an attack by a woman against a man. A gun may also make it possible for a man to commit a specific robbery even though he might not have thought that he would have had a reasonable chance of pulling it off without a gun. In these situations, the gun does not affect motivation or drive to commit the crime, but rather provides a tool that reduces risk to the criminal and improves chances for sucessfully manipulating the victim.

Cook has shown that guns are most likely to be used in assaults involving "weak" attackers and "strong" victims—attacks by females against males are more likely to involve guns than attacks with other gender combinations, and attacks by elderly persons against victims in their "prime" are more likely to involve guns than attacks with other age combinations.[7] While it is impossible to know from these facts whether some weak attacker-strong victim assaults would not have occurred in the absence of guns, the findings are compatable with the facilitation hypothesis. Gun availability could increase the overall frequency of attacks by enabling weaker people to attack stronger ones.

Cook has also provided some indirectly relevant evidence about robberies. A series of studies found that availability of guns has no effect on the robbery rates in large cities[8] but that it does appear to affect the *kinds* of targets robbed.[9] Gun possession seems to provide the tactical edge that allows robbers to attack more lucrative, but less vulnerable targets—such as commercial targets rather than individuals on the street, males rather than females, groups of victims rather than single victims, and victims in their middle years rather than the very young or the very old.[10] These findings strongly suggest that reducing gun ownership among the crime-prone, even it if could be achieved, would result in no change in the frequency or number of robberies but would shift the burden of robbery from those best able to bear it to those least able to do so—a policy outcome of dubious value.

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[5] Cook, *Reducing Injury and Death Rates in Robbery*, 6 Pol'y Analysis 21, 33 (1980).

[6] *See, e.g.*, J. Conklin, Robbery and the Criminal Justice System 117 (1972); The Prevention and Control of Robbery 77 (F. Feeney & A. Weir eds. 1973); A. Normandeau, Trends and Patterns in Crimes of Robbery 201 (1968) (unpublished Ph.D. dissertation, available at University of Pennsylvania).

[7] Cook, *The Role of Firearms in Violent Crime*, in Criminal Violence 255-57 (M. Wolfgang & N. Weiner eds. 1982).

[8] Cook, *The Effect of Gun Availability on Robbery and Robbery Murder*, 3 Pol'y Stud. Rev. Ann. 743 (1979).

[9] Cook, *A Strategic Choice Analysis of Robbery*, in Sample Surveys of the Victims of Crime 173, 186 (W. Skogan ed. 1976) [hereinafter cited as Sample Surveys]; Cook, *supra* note 5, at 42.

The term "assault-intensifying effects" refers to the assertion that when assaults occur, for whatever reason and in whatever circumstances, the use of a gun increases the severity of any resulting injuries and the probability of the victim's death, compared to what would have occurred had a likely substitute weapon, such as a knife or fists, been used. This is the least controversial of the possible effects of guns on crime, yet it too is subject to dispute concerning its magnitude.

How much deadlier are guns compared to probable substitute weapons such as knives? The most widely cited estimate is *implied* in the conclusions of George Newton and Franklin Zimring regarding assaults: "When a gun is used, the chances of a death are about five times as great as when a knife is used."[11] Perhaps what is most noteworthy about this statement is its misleading phrasing. While leading many readers to believe that guns are five times as deadly as knives, the authors avoid saying so in any explicit way. Critics have pointed out that much of the difference in fatality rates between gun assaults and knife assaults could be due to the greater seriousness of intent to injure or kill among users of guns.[12] People choose more serious methods of assault when they are more serious about hurting their victims, even when there is little premeditation or conscious weighing or self-examination of motives by assaulters.[13] Since more seriously inclined attackers can be expected to injure more seriously, regardless of weapon choice, the fact that fatality rates in gun assaults are higher than in knife assaults does not necessarily indicate that guns themselves are even slightly more deadly than knives, regardless of how self-evident the greater deadliness of guns may seem.

A meaningful comparison of weapon deadliness requires some comparability of intent and motive between users of different weapons. There is no reason to believe that such comparability prevailed in the heterogenous samples of assaults examined in the Newton and Zimring discussion and in the study by Zimring[14] on which it was based. For example, in one of Zimring's own tables, a simple recomputation of his percentages shows that gun assaulters are substantially more likely to be male than knife assaulters (eighty-seven percent and sixty-five percent, respectively),[15] a difference of obvious significance given the enormous difference in homicidal behavior between men and women.[16]

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[10] Cook, *A Strategic Choice Analysis of Robbery*, in SAMPLE SURVEYS, *supra* note 9, at 181; Cook, *supra* note 5, at 43.

[11] G. NEWTON & F. ZIMRING, *supra* note 2, at 48.

[12] Hardy & Stompoly, *Of Arms and the Law*, 51 CHI.-KENT L. REV. 62, 104 (1974).

[13] *See* Kleck & Bordua, *supra* note 3, at 272-74.

[14] Zimring, *Is Gun Control Likely to Reduce Violent Killings?*, 35 CHI.-KENT L. REV. 721 (1968).

[15] *Id.* at 727.

Another way of validating the assault-intensifying hypothesis would be to demonstrate a positive correlation between aggregate levels of gun ownership and homicide rates. Studies of this issue have produced mixed results.[17] In this author's studies,[18] the pattern of findings suggested that gun ownership in the general public has no effect on homicide rates, although ownership within violence-prone groups may well affect homicide rates.[19] It was not possible to determine if the result was due to an assault-intensifying effect, although this explanation seems plausible.

This article focuses exclusively on assaultive crimes and robbery for the simple reason that gun use in other crimes is slight. For example, in 1979 only about nine percent of rape offenders were armed with a gun.[20] The presence of a gun in even these few rapes was often incidental and not necessary in the commission of the crime when rapists could rely on their superior size and strength to overpower their victims. Guns are also unnecessary in the commission of burglary because it is a crime of stealth. Although there is little solid information on the subject, it seems that few burglars carry firearms, based on the extremely small number of victims who are shot when a confrontation with the burglar occurs. In New York City, for example, only twenty burglary victims were killed (and not necessarily with guns) between 1958 and 1967, even though there were 150,000 burglaries reported in 1967 alone.[21] It has been estimated that by 1973 a million New York City residents owned guns.[22] Consequently, gun availability likely has only a negligible effect on increasing rape or burglary.

The relationship between gun availability and crime and violence is still very much in doubt, but can be summarized as follows. No reliable evidence indicates that guns have any net assault-instigating effects, or that aggression-eliciting effects are any more common than inhibiting effects. Guns probably have a crime-facilitating effect on robberies against less vulnerable targets, but no effect on the overall robbery rates. In other words, guns cause some robbers to shift from one target type to another, without, however, increasing the frequency with which they rob. Evidence is consistent with the idea that guns facilitate some assaults and thus gun availability could conceivably increase assault frequency. Finally, although an assault-intensifying effect of gun availability is plausible, there is no compelling evidence demonstrating its existence or magnitude.

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[16] *See, e.g.*, FEDERAL BUREAU OF INVESTIGATION, 1980 UNIFORM CRIME REPORTS, CRIME IN THE UNITED STATES 178 (1981) [hereinafter cited as UCR (date) (the FBI has published a number of these reports; the specific publication will be identified by the year of coverage)].

[17] These studies are reviewed in Kleck, *The Relationship Between Gun Ownership Levels and Rates of Violence in the United States*, in FIREARMS AND VIOLENCE: ISSUES OF PUBLIC POLICY 99 (D. Kates ed. 1984) [hereinafter cited as FIREARMS AND VIOLENCE].

[18] Kleck, *Capital Punishment, Gun Ownership, and Homicide*, 84 AM. J. SOC. 882 (1979); Kleck, *supra* note 17.

[19] Kleck, *supra* note 17, at 121-22, 131; Kleck, *supra* note 18, at 883-84.

[20] According to the national victimization survey for 1980, 26.9% of rapes involved armed offenders, and 34.1% of the attackers used a firearm. U.S. BUREAU OF JUSTICE STATISTICS, CRIMINAL VICTIMIZATION IN THE UNITED STATES 1982, at 60-61 (1984). [.269 x .341 = .09 or nine percent.]

[21] G. NEWTON & F. ZIMRING, *supra* note 2, at 62.

[22] VERA INSTITUTE OF JUSTICE, FELONY ARRESTS 115 (rev. ed. 1981).

III

Whose Gun Ownership Should Be Controlled?

Gun control measures can be aimed at preventing gun possession either among the general public or by individuals in some more restricted, presumably high-risk, subset of the population. A prohibition on private ownership of handguns or a restrictive licensing or permit system administered to reduce drastically possession by ordinary citizens would be examples of the former, while a permissive licensing or permit-to-purchase system from which only high-risk groups are excluded would exemplify the latter. The first alternative, the "blunderbuss" approach, makes most sense to people who believe that it is impossible to distinguish between low-risk and high-risk candidates for gun ownership, that everyone is a potential killer, and that serious acts of violence and other criminal acts committed with guns are common among people with no previous record of violence. Gun control advocates like to proclaim that domestic homicides and other killings involving persons who know each other are common. The implication is that such killings involve people who could not have been identified in advance as anything other than ordinary citizens, who one day got angry and went over the edge. The policy implications of such a picture are twofold: that all citizens must be excluded from gun ownership to prevent such tragedies, and that gun control laws can be effective even if hardcore criminals ignore them, since compliance among "ordinary people" will produce significant reductions in numbers of homicides.

In fact, very few homicides are committed by people who have no prior history of violence. The popular image of the model citizen who one day goes berserk and kills a family member is largely a media-created myth maintained by newspeople enamored with the dramatic contrast between extremely violent acts and supposedly peaceful backgrounds. For example, in news stories about the Texas Tower killer, Charles Whitman, reporters invariably found a way to mention the fact that Whitman had been a choir boy and an Eagle Scout. Left unsaid, or relegated to the back pages, were the facts that he was raised in a violent home, had repeatedly beaten his wife, and been court-martialed in the Marines for fighting.[23]

The apparently "nonviolent" killer is a rare exception to a rather mundane general rule: People who are seriously violent in the present almost invariably have been seriously violent in the past. While most violent acts escape the attention of authorities and are thus not made a part of official written records, most arrested killers have committed enough violent acts in the past to have been previously arrested or convicted. Data reviewed by Kleck and

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[23] A. BANDURA, AGGRESSION: A SOCIAL LEARNING ANALYSIS 180 (1973).

Bordua indicate that perhaps seventy to seventy-five percent of ~~domestic~~ criminal homicide offenders have been previously arrested and about half previously convicted.[24] An even more meaningful measure of previous violence indicated that ninety percent of domestic homicides in Kansas City had been preceded by previous police "disturbance calls" at the same address, with a median of five calls per address. Rather than being isolated outbursts, violent acts are almost always part of a continuing pattern of violent behavior, whether the violence is spouse or child abuse[25] or armed robbery committed by "hardened criminals."[26] ← error

The most obvious policy implication of these facts is that reducing gun availability among "ordinary people" will do almost nothing to reduce violent crime. At best, it will act indirectly to reduce the availability of guns to criminals who might steal or otherwise obtain them from legal owners. Unfortunately, "blunderbuss" measures would inevitably have their greatest effect in reducing gun availability among the law-abiding, since it is, by definition, the law-abiding who are most likely to comply with gun control laws or, for that matter, any other laws. Compliance among criminals, on the other hand, would be low, given previous experience with more limited laws. Among the "hardened criminals" who reported previous gun possession when questioned in a recent prison survey, only fifteen percent claimed to have ever even applied for a permit to purchase or carry any of the guns, even though about ninety-one percent of the sample were imprisoned in states with provision for one or the other permit and thirty-two percent were in states with both.[27] For the entire prison sample, eighty-two percent agreed with the statement that "Gun laws affect only law-abiding citizens; criminals will always be able to get guns."[28]

The alternative to the blunderbuss measures is more selective "targeted" measures aimed at high-risk subsets of the population such as those with official records of previous criminal behavior. Laws which either prohibit ownership or possession by such persons or which deny them required licenses or purchase permits are examples of targeted measures. These measures have the advantage of not pointlessly denying guns to people who will never commit a serious violent act in their lives, but the concomitant disadvantage of inevitably permitting legal access to guns among some violent people without prior criminal convictions.

However common previous violent and criminal *behavior* is among the currently violent, many violent people nonetheless have no previous criminal *convictions*. Since a simple arrest would not be adequate to constitutionally deny a person a privilege available to others, this means that guns could not be denied, under selective gun control measures such as permissive licensing laws, to about half of the people who will commit homicides in the near future. This assumes, however, that the percentage of offenders with a prior conviction remains constant. If the necessary resources were committed, there would be nothing to prevent police officers and prosecutors from insuring that a higher number of violent people are convicted of an offense which prevents future legal gun ownership, even if they were then given probation or a suspended sentence. This would require a systematic reform of current practices, where domestic disturbances involving repeatedly violent people are usually treated as minor offenses or private family matters not calling for official processing. Nevertheless, even if the number of violent people with a previous conviction were raised, some would necessarily still remain without such a record, and thus qualify for legal gun acquisition under targeted measures like permissive licensing or permit-to-buy systems.

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[24] Kleck & Bordua, *supra* note 3, at 293.

[25] *See generally* M. STRAUSS, R. GELLES & S. STEINMETZ, BEHIND CLOSED DOORS: VIOLENCE IN THE AMERICAN FAMILY (1980).

[26] *See generally* M. DIETZ, KILLING FOR PROFIT: THE SOCIAL ORGANIZATION OF FELONY HOMICIDE (1983).

[27] J. Wright & P. Rossi, Codebook for Prison Survey (1983) (marginals for question 114) (unpublished) (this author's computations regarding prisoners in states with various gun laws).

[28] *Id.* (marginals for question 89).

Under targeted gun control laws, various other groups besides convicted criminals may be prohibited from owning or acquiring guns. Typically excluded from gun possession are alcoholics, mentally ill or mentally retarded persons, illegal aliens, and drug addicts. Most such prohibitions are unjust, of doubtful constitutionality, impractical to apply, and pointless for preventing violent crime. There are no universally accepted medical or psychiatric definitions of mental illness, drug addiction, or alcoholism. Those definitions on which some experts manage to agree are too vague to be useful for legal purposes, making prohibitions based on them unconstitutional. Some states use more precise definitions of the prohibited categories, for instance, denying guns only to persons committed involuntarily to mental institutions. Few states have comprehensive registries of involuntary mental patients, alcoholics, drug addicts, or mentally retarded persons, however, making it difficult or impossible to check for such a status.[29]

Most mentally ill persons have no record of violence. Even among those so seriously ill as to require psychiatric hospitalization, only a minority have an official record of violence in the form of an arrest for a violent crime.[30] Further, this minority is confined to that subset of patients who were identifiable as "high risk" by an arrest prior to hospitalization. One careful study found that among mental patients *without* a preadmission arrest, fewer than four percent were arrested for any crime during a postrelease followup period.[31] Thus, violence potential above the minimal level characterizing the general public is limited to a small, identifiable minority of mentally ill persons. Even within this minority, many are already denied legal access to or possession of a gun by virtue of a criminal conviction. There is therefore little factual basis for a broad legal presumption of risk to the public applied indiscriminantly to the mentally ill population as a whole, with corresonding prohibitions on firearms acquisition or possession. Nevertheless, popular stereotypes about mental illness and its supposed connection to violence are likely to keep former mental patients in the prohibited category. A more reasonable alternative would be to maintain state registries on persons admitted to psychiatric hospitals specifically as a result of violent behavior (a minority of psychiatric admissions), and use this as a basis for denying gun ownership, possession, and acquisition. This group, as well as persons with a prior criminal conviction, fugitives from justice, and persons under the age of eighteen could be denied gun ownership on the basis of specific, constitutionally defensible criteria, using existing or easily established record systems.[32]

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[29] Cook & Blose, *State Programs for Screening Handgun Buyers*, 455 ANNALS 80 (1981).

[30] Brown, *Mental Patients as Victimizers and Victims*, in DEVIANTS: VICTIMS OR VICTIMIZERS? 199-208 (D. MacNamara & A. Karmen eds. 1983).

[31] Steadman, Vanderwyst & Ribner, *Comparing Arrest Rates of Mental Patients and Criminal Offenders*, 135 AM. J. PSYCHIATRY 1218-20 (1978).

IV

DETERRENT AND DEFENSIVE EFFECTIVENESS OF CIVILIAN GUN OWNERSHIP

Until recently, scholarly students of gun control did not pay serious attention to the possibility that guns have defensive value for their owners or for deterring criminal behavior. This omission is not surprising. For a long time, academic criminologists did not even attach merit to the idea that legal punishment deters criminals. Some preliminary work has been done recently, however, permitting a few tentative conclusions.

A. Civilians Frequently Use Guns Against Criminals

While occurences of gun use against criminals by civilians are not usually widely publicized and national statistics on their frequency are not published, they nonetheless occur often. First, civilians shoot many criminals—more than the police do. Unpublished data from the FBI indicate that 490 justifiable homicides by civilians were reported to the police in 1981, 422 of which were committed with guns.[33] The FBI defines a justifiable civilian homicide as the killing of a felon by a private citizen during the commission of an independent felony, that is, a felony other than the assault on the citizen (such as when a woman shoots a rapist or when a shopkeeper shoots a robber).[34] These figures underestimate defensive shootings, however, since the FBI does not count most self-defense killings by civilians as justifiable homicides, but rather as excusable homicides.[35] Data from Detroit for the period 1975-1980 indicate that there were more than twice as many excusable homicides (nearly all of which presumably involved civilians, since police cases are almost invariably classified as justifiable) than civilian justifiable homicides (297 and 124, respectively).[36] Some excusable homicides are accidental killings involving less culpability on the part of the responsible actor than would constitute negligence, but it is doubtful that many of these cases are accidents—while Detroit had forty-four excusable homicides in 1979,[37] it had only four accidental gun deaths that year.[38] If it is conservatively assumed that there are twice as many civilian excusable self-defense killings nationally as there are civilian justifiable homicides, this yields an estimate of 1,266 excusable self-defense or justifiable homicides by civilians with guns in 1981. There are about 6.8 nonfatal gun assaults with injury for every gun homicide,[39] so civilians committed an estimated 8,609 nonfatal justifiable or excusable woundings of criminals in 1981. The magnitude of these figures can be judged from the fact that police officers in the United States killed only 388 felons during the same period.[40]

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[32] *See* Cook & Blose, *supra* note 29, at 87-89 (discussing the feasibility and cost of such systems).

[33] Federal Bureau of Investigation, Supplementary Homicide Reports (1983) (unpublished computer counts).

[34] UCR (1980), *supra* note 16, at 6.

[35] CALIFORNIA DEP'T OF JUSTICE, HOMICIDE IN CALIFORNIA 1982, at 32 (1983).

The use of guns to shoot criminals, however, represents only a small minority of the defensive uses of guns. Most incidents involve a gun being used only to threaten, apprehend, or shoot *at* a criminal, or to fire a warning shot, without killing or wounding anyone. A 1978 national survey found that seven percent of the households in the United States reported that a member of the household had at some time in the past used a gun against another person for self-protection, excluding military or police experiences.[41] This finding translates into over five million households, out of the seventy-seven million households in the country at the time of the survey.

A 1981 survey by liberal pollster Peter Hart found that twenty-three percent of American voters kept handguns in their homes and nine percent of these had used their handguns for self-protection in the past five years.[42] With a total of 82.4 million households in the United States in 1981, this means that there were 18.9 million handgun-owning households, 1,707,000 of which had used handguns defensively. Conservatively, assuming only one use per household, this finding implies that over 340,000 defensive uses of handguns occurred each year.

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[36] M. Dietz, *supra* note 26, at 203.

[37] *Id.*

[38] Unpublished tabulations from National Center for Health Statistics Mortality Detail File computer tape (on file with the author).

[39] According to the national victimization survey for 1980, there were 572,000 aggravated assaults with injury. Of all aggravated assaults, 92.4% involved armed offenders. It is assumed that the same percentage applies to assaults with injury. Among armed assaulters, 15.1% carried guns. Therefore, in 1980 there were an estimated 572,000 x .924 x .151 = 79,807 nonfatal aggravated assault injuries involving guns. In that year, there were also 405,000 robberies with injury, 38.3% of which involved armed offenders, out of which 11.7% were armed with guns. United States Bureau of Justice Statistics, *supra* note 20, at 22, 57, 58. Thus, there were an estimated 405,000 x .383 x .117 = 18,148 injuries resulting from robberies by offenders armed with guns. Not all of these instances necessarily involved injuries caused by robbers actually using their guns, but this is assumed to be the case. On the other hand, many of the assaults in which guns were used did not involve the firing of the gun but rather its use as a club. Consequently, the number of nonfatal gunshot wounds is necessarily less than the number of assaults involving guns. According to the Uniform Crime Reports there were 23,040 homicides in the United States in 1980, 62.4% of which involved guns. UCR (1981), *supra* note 16, at 11, 41. Therefore, there were about 23,040 x .624 = 14,377 gun homicides. Thus, the ratio of nonfatal gun-related injuries to fatal gun injuries is 97,956/14,377, or 6.8 to 1.

[40] Federal Bureau of Investigation, Supplementary Homicide Reports, *supra* note 33.

[41] Decision/Making/Information, Attitudes of the American Electorate Toward Gun Control 1978, at 116 (1979).

[42] R. McGuire & B. Gotbaum, Manual for Public Education Campaign on Handgun Violence 19 n.5 (June 1983) (prepared by the New York City Police Dep't and the Nat'l Alliance

B. Civilian Weapon Use Is Effective

Victimization surveys have asked robbery and assault victims whether they resisted their victimizers, used weapons, were successful in preventing the crime, or were injured. The results indicate that for both robberies and assaults, the crime was less likely to be completed against victims who resisted with a gun or knife (the two weapons were considered together in the surveys), compared to those who did not resist. Furthermore, resisting victims were no more likely to be injured (even *less* likely, for assaults) than those who did not resist.[43]

Confirming this perspective, Don Kates' study of newspaper accounts of civilian and police defensive use of guns indicated that civilian use was generally more effective than police use. He analyzed every story concerning use of guns to interrupt or prevent crimes or apprehend criminals printed in forty-two of the nation's largest circulation newspapers during periods in 1975 and 1976. His results indicate that eighty-three percent of the civilian users were successful in preventing the crime, apprehending the criminal, or both, while the success rate was only sixty-eight percent for the police.[44] It is not known whether cases not reported in newspapers are less likely to be successful, but there is no reason to believe any such bias would be different for cases involving police and those involving civilians.

No one knows how many criminals armed citizens apprehend each year, but many, possibly most, of the arrests for serious predatory crimes are the result of citizens who report the crime and identify the offender or provide a uniquely identifying piece of evidence such as the license plate number of a fleeing offender.[45] Perhaps citizens take an even more active role in law enforcement than just mobilizing the police and identifying offenders. This role would conform with, albeit in an unorthodox way, the themes of students of social control and the law, who traditionally have argued that social order is more the result of the extralegal or informal actions of private citizens than of formal law enforcement agencies' activities.[46]

Against Violence) (citing a private poll by Peter D. Hart Research Associates, Inc. (Wash., D.C., Oct. 1981)).

[43] Kleck & Bordua, *supra* note 3, at 289.

[44] D. Kates, Jr., Defensive Use of Guns by Police and Civilians (unpublished manuscript).

[45] *See* P. GREENWOOD, J. CHAIKEN & J. PETERSILIA, THE CRIMINAL INVESTIGATION PROCESS 33 (1977); A. REISS, THE POLICE AND THE PUBLIC 11 (1971).

[46] *See, e.g.*, R. LAPIERE, A THEORY OF SOCIAL CONTROL (1954); W. SUMNER, FOLKWAYS (1906).

C. Criminals Perceive a Risk from Civilian Gun Use, Roughly Comparable in Magnitude to Their Perception of Risk from the Criminal Justice System

James Wright and Peter H. Rossi recently conducted an ambitious and sophisticated survey of known criminals concerning their gun use and opinions about gun control and related matters.[47] Over 1800 prison inmates in ten states were interviewed in 1983. When these criminals were asked how often they thought about various things when getting ready to commit a crime, thirty-four percent reported that they thought often or regularly "that you might get shot by the police" and an identical thirty-four percent thought "that you might get shot by your victim." (Even the possibility of going to prison was considered regularly or often by only fifty percent of the sample.) Indeed, criminals worry about citizen gun use at least as much as they worry about the police; fifty-seven percent agreed that "[m]ost criminals are more worried about meeting an armed victim than they are about running into the police." Fifty-five percent also agreed that "[a] criminal is not going to mess around with a victim that he knows is armed"; eighty percent agreed that "[o]ne reason burglars avoid houses when people are home is that they fear getting shot during the crime"; and fifty-nine percent agreed that "[a] store owner who is known to keep a gun on the premises is not going to get robbed very often."[48]

Wright and Rossi's survey results also confirm the picture of frequent gun use by civilians against criminals drawn from the general population surveys. Their findings indicate that thirty-seven percent of the criminals have personally confronted victims armed with guns and thirty-four percent have personally been frightened away, shot at, wounded, or captured by an armed victim.[49] Wright and Rossi are not alone in obtaining such findings from interviews with criminals. Their results confirm those of earlier, less sophisticated and less extensive prison surveys.[50]

D. The Perception of Risk Affects Criminal Behavior

A variety of evidence supports the assertion that criminals are affected by civilian gun use. First of all, criminals *say* they behave differently because of civilian gun ownership. In the Wright and Rossi survey, thirty-nine percent of the criminals reported that they had at some time in the past decided not to commit a crime because they knew or believed the victim was carrying a gun,[51] while an unstated number of convicted robbers and burglars interviewed in a California prison said they knew of specific cases when robberies were not committed because the prospective victim was known to be armed.[52] As noted above, criminals in the Wright and Rossi survey said that burglars avoid occupied premises in committing burglaries at least partly because they fear getting shot.[53] In this regard, Kleck and Bordua estimated that the risk of imprisonment for committing a burglary is less than one percent, yet some studies have concluded that this legal risk is sufficient to deter some burglars. Likewise, the low absolute frequency of burglars being shot does not preclude the possibility that civilian gun use will exert a deterrent effect anyway.[54]

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[47] J. Wright & P. Rossi, *supra* note 27.

[48] *Id.* (marginals for questions 71 and 89).

[49] *Id.* (marginals for questions 90 and 91).

[50] *See* Firman, *In Prison Gun Survey the Pros are the Cons*, AM. RIFLEMAN, Nov. 1975, at 13; Richardson, *Myth #2: Criminals Won't Have Guns*, TRUE, July 1975, at 32; Link, *No Handguns in Morton Grove—Big Deal*, Menard Time, Jan. 22, 1982, at 1 (prisoner newsletter for the Illinois Dep't of Corrections facility at Menard, Ill.).

[51] J. Wright & P. Rossi, *supra* note 27 (marginals for question 92).

Finally, analysis of real-life quasi-experiments suggests that changes in the perception of risk from civilian gun use can affect the frequency of various crimes. In 1966 the Orlando city police introduced a gun training program for civilian women in response to an increase in rapes. Although rape was on the increase in Florida and in the United States as a whole, the city of Orlando experienced an eighty-eight percent drop in the incidence of rape during the year following the onset of the gun training program. There was no similar drop in rape rates in surrounding areas and the Orlando decrease was far in excess of any previous one-year change in the city's rape rates, lending support to the hypothesis that the program and its accompanying publicity brought about the decrease in rape.[55] One plausible interpretation of these events is that the gun training program heightened the awareness of victim gun ownership among potential rapists, reminding them of something which had always existed but which had not always been so salient. Similar results have occurred in connection with other gun training programs, apparently producing decreases in armed robbery in Highland Park, Michigan, drug store robberies in New Orleans, and grocery store robberies in Detroit. Also, in Kennesaw, Georgia, where a highly publicized city ordinance was passed *requiring* household gun ownership, burglaries dropped eighty-nine percent over the seven months immediately after passage of the law (as compared with the same period during the previous year).[56]

These findings have some interesting policy implications. As noted above, reducing gun ownership among law-abiding citizens will do almost nothing to reduce crime and violence directly, since violently criminal behavior is virtually nonexistent among persons without previous records of such behavior. The findings discussed earlier strongly suggest that reducing gun ownership among the law-abiding might well significantly reduce the risks of criminal behavior. A reduction in risks could in turn reduce the possible criminal deterrent effect of widespread civilian gun ownership, especially regarding "gun-deterrable" offenses such as residential burglaries and commercial robberies. For these reasons, any "blunderbuss" measures aimed at reducing gun ownership in the general public seem ill-advised, at least until it can be shown that reductions in deterrent effects are counterbalanced by some benefit, such as reduced gun availability to criminals through theft and other transfers from law-abiding citizens. This benefit seems so marginal, however, that it may be difficult to demonstrate.[57]

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[52] Richardson, *supra* note 50, at 33.

[53] Don Kates has also pointed out another benefit of civilian gun ownership related to burglary. If burglars avoid occupied premises partly because of possible victim gun ownership, confrontations between offenders and victims are minimized, and the frequency of injury and death is thereby lowered among burglary victims for both those who own guns and those who do not. D. Kates, Jr., Why Handgun Bans Can't Work 66 (1982).

[54] Kleck & Bordua, *supra* note 3, at 282.

[55] For a full analysis, see *id.* at 284-88.

[56] *Id.* at 288.

V

FOCUS ON HANDGUNS? THE SUBSTITUTION OF DEADLIER WEAPONS

In the context of gun control measures aimed at all types of long guns (such as rifles and shotguns) as well as handguns, weapon substitution refers to the possibility that offenders deprived of guns could substitute other, less deadly weapons. When the emphasis shifts to measures aimed exclusively or primarily at handguns, however, the substitution issue changes in a crucial way. An offender who has been blocked only from getting a handgun (or even more narrowly, a Saturday Night Special) is not likely to regard a knife or club as the best available substitute. Rather, his deadliest, most intimidating alternative, either for defensive purposes or for furthering a crime, is a rifle or shotgun. While these weapons are not as concealable as a handgun, concealability is not important to most gun crimes. For those crimes in which it is important, sawed-off shotguns or rifles generally provide sufficient concealability. Further, since the average handgun used in crime is of fairly good quality and correspondingly expensive, many rifles and shotguns are no more expensive than the handguns, making cost no obstacle to substitution.[58]

Long gun substitution is a very undesirable prospect because rifles and shotguns, depending on caliber or gauge and the ammunition used, can be anywhere from one and one-half to ten times as deadly as handguns.[59] It is unlikely that criminals willing to violate the strongest social and legal prohibitions against violence would conscientiously opt for only the least deadly varieties of long guns and ammunition.[60] Unless this occurred, however, the result of an effective handgun-only measure would be an increase in criminal homicide deaths.

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[57] Results from the Wright and Rossi survey of prison inmates indicate that while many criminals steal guns, they usually do so in order to sell rather than keep them, and those who do keep the guns for themselves usually already have a gun of their own. *See* J. Wright & P. Rossi, *supra* note 27 (marginals for questions 82 and 83). Thus, although criminals frequently possess and use stolen guns in crimes, it is also apparently true that few criminals *have to* steal in order to get firearms.

[58] Kleck, *Handgun-Only Gun Control: A Policy Disaster in the Making*, in FIREARMS AND VIOLENCE, *supra* note 17, at 167, ~~187~~-192.

[59] *Id.* at ~~174~~. 183, 184

[60] The same general point also applies to impulsive domestic homicides among supposedly "law-abiding" citizens. If the guns involved in such attacks are originally obtained for home- and self-defense, it is unlikely that the long guns substituted for handguns would be the less deadly types. Many of the same qualities which make some types of guns desirable as offensive weapons also make them desirable as defensive ones.

The precise extent of this increase would depend on two parameters: the fraction of assault-prone people, otherwise inclined to use handguns, who would substitute long guns in their assaults (the substitution fraction), and the ratio of the deadliness of the substituted long guns to the deadliness of handguns which otherwise would have been used in the absence of handgun controls (the deadliness ratio). The higher either parameter is, the more likely it would be that the net effect of the measure would be an increase in the number of homicides. If X is used for the substitution fraction and Y is used for the deadliness ratio, the relationship between the two has been computed as

$$X = \frac{8649.19}{6827.53Y - 455.581}$$

at the point where there is neither a net gain nor a net loss from the handgun-only policy.[61] If X is larger, then Y must be smaller in order to prevent an increase in homicides.[62]

It is difficult to know for sure what type of long guns and ammunition would be substituted by criminals if handguns were not available, so the magnitude of the deadliness ratio is not certain. An estimate of three or four seems reasonable. That is, the substituted long guns would be about three to four times as likely to produce a death as handguns currently used in assaults. As to the size of the substitution fraction, the best estimate comes from the Wright and Rossi prison survey.[63] Inmates were asked what they would do if they wanted to carry a handgun but could not obtain one. Among those prisoners who reported they had committed crimes with a gun "many times," "most of the time," or "all of the time," seventy-two percent said that they would carry a sawed-off shotgun or rifle instead.[64] Substitution of long guns in *ownership* would almost certainly be higher, since many people would acquire a long gun as a substitute for owning a handgun, but would not carry it as frequently as they would their handgun. Thus, substitution in carrying might be about seventy-two percent but substitution in ownership could be anywhere from seventy-two to one hundred percent.

Nevertheless, if the substitution fraction X is assumed to be 0.72, then, solving the equation for Y, the deadliness ratio must be at or below 1.36 to avoid a net increase in homicides. That is, if seventy-two percent of the people who otherwise would have assaulted with handguns used long guns instead, and the other twenty-eight percent substituted knives, fists, and other nongun weapons, the handgun-only measure would lead to an increase in homicides unless the substituted long guns were only 1.36 times as deadly as handguns, or less. This result could occur only if violent criminals paradoxically chose the least dangerous varieties of long guns, such as small caliber rifles (.243 caliber or less) or smaller shotguns (the .410 rather than 16-, 12-, or 10-gauge). There is no reason to expect such an optimistic outcome.

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[61] This formula is based on the generous assumption that elimination of handguns will not only affect the deadliness of assaults which do occur, but will also reduce the frequency of gun assaults by 25%.

[62] See Kleck, *supra* note 58, at 171-76, for a complete discussion of the derivation and computation of the formula.

[63] J. Wright & P. Rossi, *supra* note 27.

[64] Telephone conversation with James Wright (July 26, 1983).

Of course, if handgun-only measures do not remove handguns from violence-prone people in the first place, the laws would be useless on that basis, there would be no need for substitution, and this whole issue would be moot. But the point is that even if such measures *were* effective in reducing handgun possession, they would almost certainly have the perverse effect of causing more people to die than would have died without the measure. This analysis has the clearest possible policy implication: Under no circumstances should restrictions be placed on access to handguns (or specific types of handguns such as Saturday Night Specials) without equally severe restrictions on access to long guns.[65]

VI

STATE OR FEDERAL CONTROLS?

Because there are so many state laws regulating firearms, gun control opponents often ask why any federal laws are needed. Gun control supporters reply that state laws are often ineffective because they are easily evaded if bordering states do not have equally restrictive controls. The primary justification for federal controls is the interstate "leakage" of firearms. For example, Newton and Zimring stated that "[s]erious efforts at state and local regulation have consistently been frustrated by the flow of fireams from one state to another."[66] Beyond this problem, supporters of federal gun control rarely mention any other justification for national measures.

One would think, then, that the only kind of federal legislation necessary to supplement state controls would be a statute aimed at stopping the interstate flow of firearms to unqualified buyers. Such persons could not, as a result, travel from their own restrictive states and obtain guns in less restrictive states, and residents of lenient states could not otherwise transfer firearms to unqualified recipients residing in restrictive states. Ideally, the federal legislation would give those states with a need for restrictive gun control measures a fighting chance to make them work.

Yet, many advocates of federal controls go far beyond such measures. In their report to the National Violence Commission, Newton and Zimring recommended a federal restrictive licensing standard amounting to a virtual ban on private ownership of handguns.[67] Rather than simply supplementing state measures and thus making it possible for states effectively to apply whatever gun control measures they regard as necessary, such a far-reaching proposal is a *substitute* for state controls, a way of overriding state legislatures' unwillingness to pass more restrictive laws of their own.

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[65] The same general argument applies to measures aimed at the cheap small-caliber handguns known as "Saturday Night Specials," since such measures encourage substitution of larger-caliber, better quality, and therefore deadlier, handguns. There is even less difference in concealability and ease of carrying between Saturday Night Specials and other handguns, however, than there is between handguns and sawed-off long guns, thus allowing substitution in an even higher percentage of assault situations.

[66] G. NEWTON & F. ZIMRING, *supra* note 2, at 95.

There are several good reasons to reject this approach. First, the concept of federalism implies that the states should have as much autonomy as possible in drafting their criminal law and other statutes. Second, federal controls are less satisfactory because traditionally there has been a very limited federal law enforcement apparatus in the area of ordinary crime. The Federal Bureau of Investigation (FBI) regards itself more as an investigatory than a law enforcement agency. Nothing at the federal level corresponds to a street police force, and local police agencies, where most law enforcement personnel are concentrated, have generally been reluctant to devote their limited resources to the enforcement of federal laws. Third, the need for gun control differs sharply from one state to another. Some states have almost no violent crime, with or without guns, while others have a great deal. For example, in 1981 South Dakota had only twelve murders and nonnegligent manslaughters and 122 robberies (1.8 and 17.8 per 100,000 population, respectively), while Nevada, with only twenty-three percent more people, had 148 homicides and 3,867 robberies (17.5 and 64.9 per 100,000, respectively).[68]

Nevertheless, the Gun Control Act of 1968 (GCA),[69] the only major federal gun legislation in the last forty-five years, was generally limited simply to reinforcing whatever controls each state has by prohibiting out-of-state purchasing by its residents. Unfortunately, a number of loopholes in the GCA render this attempt to stem the interstate flow of firearms between nondealers ineffective. For example, although the Act made it unlawful for licensed dealers to sell "any firearm to any person who the licensee *knows or has reasonable cause to believe* does not reside in . . . the state in which the licensee's place of business is located,"[70] it did not require dealers to verify a buyer's residence by, for example, demanding a driver's license or similar identification.[71] Although some states require dealers to verify residency, dealers elsewhere can sell guns to persons from more restrictive states as long as they do not know or have reason to believe that the buyer is a resident of another state. The GCA also made it generally unlawful for persons not licensed as dealers to buy guns in one state for transport to, and sale in, another state, but did not provide any effective means for enforcing the provision.[72] Further, the act allows almost any adult to receive a federal firearm dealer's license for a ten dollar annual fee, as long as the applicant claims he is going to conduct business from some premises (which presumably could include his home).[73] As a result, there were 157,655 federally licensed firearms "dealers" by January 1, 1981 but probably fewer than 4,000 Treasury inspections over that year.[74] This situation made it very easy for licensed dealers to purchase legally large numbers of guns in less restrictive states and to transport them into more restrictive juridictions, where the less reputable among the "dealers" could sell the guns to buyers who would not qualify for legal gun acquisition in the more restrictive states. The GCA also left unlicensed individuals free to sell their guns privately, rather than requiring them to go through licensed dealers, thereby making it very difficult to check on the validity of such sales. Among other things, it is virtually impossible to hold a private citizen liable for selling firearms even to hardened criminals, because it cannot be proven that the seller knew about the criminals' felony records. Consequently, both criminals and ordinary residents who cannot obtain permits in their own restrictive states can rely on guns from out-of-state sources.[75]

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[67] *Id.* at 143-44.

[68] UCR (1982), *supra* note 16, at 51, 55.

[69] Pub. L. No. 90-618, 82 Stat. 1213 (1968) (codified at 18 U.S.C. §§ 921-928, 26 U.S.C. §§ 5801-5802, 5811-5812, 5821-5822, 5841-5849, 5851-5854, 5871-5872, 6806, 7273 (1982)).

[70] 18 U.S.C. § 922(b)(3) (1982) (emphasis added).

[71] S. BRILL, FIREARM ABUSE: A RESEARCH AND POLICY REPORT 176 (1977).

Given that there are probably over 160 million guns now circulating in private hands in the United States,[76] it is unclear to what extent federal restrictions on interstate trade can prevent criminals from obtaining guns. Nevertheless, whatever enforcement potential that does exist could be maximized by a few straightforward revisions to the GCA. Licensed dealers could be required to verify buyers' in-state residence by examining drivers' licenses or other suitable identification, as is already done in many states. The federal dealer's license fee could be raised to $500, as proposed in the Kennedy-Rodino bill,[77] thereby reducing the number of people who can legally transfer guns across state borders. In addition, private gun sales could be brought under closer control by a requirement that such transactions occur only through a licensed dealer. Beyond controls on interstate trafficking, controls at the state level are about as likely to succeed in keeping guns from criminal users as are federal restrictions.

VII

ENFORCEMENT OF GUN CONTROL LAWS

Although gun control laws in the United States are often contrasted with supposedly much more restrictive laws in Europe, most of the U.S. population lives in jurisdictions subject to at least moderate restrictions. For example, at least seventy percent of the population is subject to acquisition or purchase requirements and sixty-six percent is subject to a police check before or after purchasing a handgun.[78] Yet, beyond arrests for illegally carrying firearms, there is very little criminal justice activity directed specifically at enforcing gun control laws as we have defined them.

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[72] 18 U.S.C. § 922(a) (1982).

[73] 18 U.S.C. § 923(a)(3)(C), (d)(1) (1982).

[74] *See* P. SHIELDS, GUNS DON'T DIE—PEOPLE DO 182 (1981).

[75] *See* S. BRILL, *supra* note 71, at 82-93.

[76] Kleck, *supra* note 17, at 127.

[77] Handgun Crime Control Act of 1979, H.R. 7148, 96th Cong., 1st Sess. (1979).

For example, in Illinois police made an average of 3,142 arrests per year for "unlawful use of a deadly weapon" (mostly carrying a concealed weapon) over the 1972-1976 period, yet only 269 arrests per year were made for unlawful possession and 537 per year for ownership of a gun without the required state firearms owner's license.[79] Significantly, Illinois is a state estimated to hold at least 1.7 million individual adult gun owners, of which twenty-eight percent were without the required gun owner licenses[80]—about half a million people eligible for arrest for illegal possession or ownership of a gun without a license. Arrests on gun charges were evidently made almost exclusively incident to arrest on some other charge. For example, a person might be arrested for robbery or carrying a concealed weapon and then incidentally also be charged with illegal possession.[81] These figures suggest that there is little specialized enforcement effort directed at gun law violations.

When gun violation arrests are made, prosecutors achieve few convictions, and when a rare conviction is obtained, judges rarely impose sentences requiring even short terms of incarceration. In Chicago, which has a local gun registration ordinance which goes beyond Illinois' already fairly strict gun laws, only four percent of persons charged under the local registration law were convicted and only twenty-two percent were convicted on charges under the state licensing law, for the period 1968-1973. Of those convicted, only twelve percent received sentences involving any jail time, with a mean jail term of thirty-six days.[82] Even in New York City, with its extremely strict gun control laws, stiff penalties are rarely imposed. Although sixty-four percent of arrests for felony handgun possession result in conviction on some charge (not necessarily a felony charge), an analysis of a sample of such arrests indicated that out of twenty-eight gun possession felony cases reaching disposition, only two resulted in a sentence of felony time, while another six resulted in a sentence with some jail time on a reduced misdemeanor charge.[83] In sum, police, prosecutors, and judges apparently give little priority to vigorous enforcement of existing gun control laws.

This behavior is perfectly understandable given the larger context of the criminal justice system's tasks and available resources. Prisons are filled with serious repeat offenders, so judges are reluctant to send gun violators to prison. With limited prison capacity, sending someone to prison for a mere gun violation necessitates paroling or otherwise releasing a serious criminal into society. Given that few gun convictions will result in an offender's removal from the streets, many prosecutors are undoubtedly reluctant to devote their limited resources to prosecuting a gun case. It is more likely that the gun charge will at best serve as a bargaining chip to persuade defendants to plead guilty to other charges while the gun charge is dropped. Knowing all this, police officers are not anxious to expend their time on gun violation arrests and the associated paperwork.

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[78] J. WRIGHT, P. ROSSI & K. DALY, UNDER THE GUN: WEAPONS, CRIME AND VIOLENCE IN AMERICA 269-70 (1983).

[79] D. BORDUA, A. LIZOTTE & G. KLECK, PATTERNS OF FIREARMS OWNERSHIP, USE AND REGULATION IN ILLINOIS 79 (1979).

[80] *Id.* at 94, 101, 167.

[81] *See* Bendis & Balkin, *A Look at Gun Control Enforcement*, 7 J. POLICE SCI. & AD. 439, 444-47 (1979).

[82] *See id.* at 443, 446.

[83] VERA INSTITUTE OF JUSTICE, *supra* note 22, at 119.

Of course, expanding available resources can always make a difference. Given the scale and seriousness of crime facing the system, however, with killers, rapists, armed robbers, and burglars going uncaught, unconvicted, and unpunished, it is unlikely that any marginal increase in money and manpower will be devoted to catching and imprisoning people who have purchased a gun without a permit or sold a gun to an unqualified buyer. But there is an alternative. In some circumstances, additional resources can be assigned specifically to gun law enforcement. For example, specialized units in the police department and the prosecutor's office can be established for the sole purpose of enforcing gun laws, as has already been done to some extent for other crimes. Separate gun courts can be established to deal with these cases, reducing the probability that other cases will push gun cases aside and reducing also the incentive to bargain away gun charges. Chicago has established such a gun court. Nevertheless, judges will still be reluctant to assign prison sentences to gun violators as long as there is not enough prison space available for murderers and rapists. Indeed, this attitude reflects exactly how some of the Chicago gun court judges feel, especially when faced with first-time offenders whose only crime was a gun violation.[84] In addition, establishing these specialized units still must involve someone making the decision to devote some resources to gun violations rather than other crimes, whether it is police administrators, district attorneys, city councils, or state legislatures.

The low priority police and prosecutors assign to enforcement of gun control laws may, in many jurisdictions, be directly attributable to the "blunderbuss" character of the existing statutes. Don Kates has pointed out that police and prosecutors routinely deal with very serious offenders, but with gun violations they often find that they are dealing primarily with respectable citizens. Kates believes that this experience causes enforcement personnel to deprioritize gun control enforcement to an extent that would not be true for narrower laws targeted at persons universally regarded as unfit to own guns, such as convicted felons.[85] The less gun control laws focus exclusively on the "bad guys," the less enthusiastic police and prosecutors will be to enforce those laws.

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[84] Shields, *Two Judges Look at Gun Control*, 57 CHICAGO BAR RECORD 180, 184 (1976).

[85] Personal communication from Don Kates, Jr. to the author.

Thus, as long as current enforcement priorities prevail, there will be little enforcement of existing gun laws, regardless of available resources. If this is true for the relatively modest laws already in place, it is unlikely to be any different for the proposed laws. Also, if new laws are enacted, either enforcement priorities within the criminal justice system must change, or the laws must somehow be made effective with the current minimal level of enforcement, relying largely on voluntary compliance. Nevertheless, current enforcement priorities are not carved in stone. To change existing priorities requires only that criminal justice system personnel change their opinions regarding the value of enforcing gun laws. All enforcement is necessarily selective, and the selectivity generally operates so as to give the most severe treatment to the most serious and repetitive offenders, at least insofar as official records accurately index the offenders' prior criminal behavior.[86] Therefore, one clear incentive to criminal justice system personnel for the enforcement of gun laws is the opportunity to incarcerate repetitively violent offenders for illegal possession or ownership of firearms, especially when the criminals cannot be convicted on any other charges. Until and unless this perception becomes widespread, however, the introduction of further gun controls will effect the availability of firearms to the violence-prone only to the extent that the controls can be achieved through voluntary compliance.

VIII

How Do Criminals Acquire Guns?

If the primary proximate goal of gun control law is to reduce gun possession among criminals, then to devise effective controls requires an understanding of how criminals acquire firearms. Patterns of acquisition clearly vary by criminal type and also from place to place, partly because of variation in prevailing gun regulations. Consequently, research findings necessarily must be somewhat locale-specific and are not as easily generalized as one might hope.

Gun control efforts would be advanced if criminals obtained their guns mainly from either licensed dealers or from theft, since the former constitutes a highly visible, regulatable source, and local police agencies are equipped for and committed to conventional law enforcement which will deal with the latter. Indeed, some pro-control analysts such as Mark Moore, a former official of the federal Drug Enforcement Administration, have attempted to offer support for such an optimistic picture. Relying on information from the files of the Bureau of Alcohol, Tobacco and Firearms (BATF), Moore asserted that "private transfers do not emerge as a major sector supplying guns to offenders."[87] Yet Moore himself characterized the BATF information as "bad data" which described a "biased" sample of illegal gun dealers and which was "biased toward paths [between original sources and offenders] that can be conveniently investigated."[88] He justified his reliance on the BATF data by noting the absence of better information, an accurate observation at the time. Because good information on the subject has since been gathered, however, we may now dispense with the flawed BATF data.

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[86] *See* Kleck, *Racial Discrimination in Criminal Sentencing*, 46 Am. Soc. Rev. 783, 789, 792 (1981).
[87] Moore, *Keeping Handguns from Criminal Offenders*, 455 Annals 92, 106 (1981).

James Wright and Peter Rossi went to the "horse's mouth" by surveying convicted criminals in prisons in ten states about where and how they got their guns. The results indicated that, contrary to Moore's optimistic conclusions, criminals acquire their guns predominantly through private, second-hand transfers. These transfers could be described as "quasi-legal" in that, although not involving theft, they often violated federal or state regulatory provisions (especially in jurisdictions with strict controls). According to the convicts, theft accounted for only a small fraction of the guns they needed for use in crimes. That is, few criminals acquired guns by theft at a time when they did not already have a gun. Similarly, acquisitions through licensed firearms dealers account for only a small fraction of gun acquisitions. Of all the convicts who had ever owned or possessed a handgun, only thirty-two percent had acquired their firearms by theft, forty-three percent had purchased them for cash, while twenty-three percent borrowed them, traded for them, or received them as gifts. Only twenty percent of the convicts got their handguns from a gun shop, pawnshop, hardware or department store; the rest acquired them from private sources or by theft.[89] The same picture emerges from the findings of a Florida survey of prison inmates. The Florida study showed that only thirty percent of handgun murderers and assaulters reported acquiring their guns from dealers, fifteen percent admitted stealing them, and seven percent did not know where their guns came from—while forty-seven percent had obtained their guns from private sources.[90]

Although over 100,000 handguns are stolen each year from individuals[91] and about twenty to twenty-two percent of firearms confiscated by police (usually in connection with gun violations) were reported stolen at some time in the past,[92] stolen guns are nonetheless apparently not an important source of firearms for criminals, at least not in the ten states covered in the Wright and Rossi prison survey. Of the total sample of 1,954 prisoners interviewed, only 790 (forty-two percent) admitted to having ever stolen a gun. Of these, only 524 (sixty-six percent of the gun thieves, twenty-eight percent of the whole sample) had ever kept a gun for themselves, rather than selling it for profit or otherwise disposing of it. Of those inmates who had stolen a gun, seventy percent usually stole to sell or trade, rather than to acquire one for personal use. Most gun thefts are haphazard affairs; few thefts are the result of a specific need for and intent to acquire a gun. Only eleven percent of the prisoners answering the relevant questions had ever gone out looking specifically for a gun to steal; most gun thieves stole guns only when they came across them in the course of stealing cameras, color televisions, and other portable valuables. When a criminal did steal a gun and keep it for himself, the reason usually was not that he did not have a gun. Only 187 inmates (twenty-four percent of the gun thieves, ten percent of the entire sample) reported ever having stolen a gun for that reason.[93] In short, few of the inmates found it necessary to steal in order to obtain a gun.

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[88] *Id.* at 102, 106.

[89] J. Wright & P. Rossi, *supra* note 27 (marginals for questions 123 and 124).

[90] Burr, Handgun Regulation app. 45 (1977).

[91] S. Brill, *supra* note 71, at 104.

[92] *Id.* at 103. *But cf.* U.S. Bureau of Alcohol, Tobacco & Firearms, Project Identification: A Study of Handguns Used in Crime 21 (1976) (tracing indicated that only six percent of handguns had been reported as stolen).

It might be argued that while criminals do not often acquire guns *directly* by stealing, they frequently acquire, by quasi-legal transfers from friends, acquaintances, or others, guns stolen by someone else earlier in the chain of transactions ending with the gun in the criminal's hands. There is undoubtedly some truth to this assertion, but available data indicate it does not alter our conclusions significantly. Efforts have been made to determine what fraction of guns confiscated by police had been stolen at some point since their manufacture. The most intensive of these efforts indicated that only 19.5% of confiscated handguns had been stolen at *any* point in the past.[94] Of course, a gun might have been transferred five or six times before, with only one of the transfers being a gun theft. From Wright's data, we also know that when a theft does occur, it is usually incidental to a burglary not targeted at obtaining guns and committed by a criminal who already had at least one gun. Therefore, if gun theft could somehow be eliminated entirely, it evidently would have only a slight effect on the extent to which criminals would be armed with guns.

Even for the small minority of criminals who obtained their guns through theft when they had no other gun, there is no empirical indication that they could not have gotten guns through some other nontheft channel. As to the criminals who obtained their guns through purchase or trade from nonlicensed sources, there is no indication that they had to go to black market sources specializing in illegal gun sales. Of the 943 criminal handgun owners, only twenty-seven (2.9%) reported getting their last handgun from a "black market source" and only forty-four (4.7%) said they got it from a "fence."[95] Black market enterprises, of any scale, are apparently of little importance as a source of guns for criminals. Consequently, the emphasis placed on black market "enterprises" and "illegal firms" by some authors[96] is misplaced and of little relevance to criminal gun acquisition.

By far, the most common means of gun acquisition mentioned by Wright and Rossi's respondents were "from a friend" (370 out of the 943, or thirty-six percent) and "off the street" (137 cases, or fifteen percent). Another 4.5%

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[93] J. Wright & P. Rossi, *supra* note 27 (marginals for questions 81-83a and 123).

[94] S. Brill, *supra* note 71, at 102-03.

[95] J. Wright & P. Rossi, *supra* note 27 (marginals for question 124).

[96] *E.g.*, Moore, *supra* note 87, at 100-05.

obtained guns from a member of their family.[97] Thus, most criminals get their guns through purchase or other quasi-legal transfers, rather than by theft; from friends, family, or acquaintances on the street, rather than from licensed dealers or black market enterprises. Given this reality, how can guns be kept from criminals? There are at least two general strategies which go beyond existing state and federal regulation of licensed dealers.

First, gun possession by criminals can be made more legally risky by raising associated legal penalties, by raising the probability of detection of such possession, or both. This deterrence strategy is aimed at reducing criminals' desire or motivation to obtain guns, regardless of their availability. This approach would require a significant effort to enforce existing legal prohibitions, implicating many of the enforcement problems raised earlier in this article. Such prohibitions are already in place. Under federal law, possession of a firearm by a convicted felon is a felony punishable by up to five years in prison.[98] In addition, the law of twenty-two states prohibits convicted criminals (usually felons) from possession or purchase of any kind of firearm, while in another twenty states, only handguns are prohibited to this group.[99]

The second strategy involves reducing gun availability by reducing the number of willing, unlicensed private firearms sellers. Given that most of the private gun transfers seem to involve small-scale, even one-time sellers, conventional law enforcement efforts, either proactive or reactive, are not likely to be cost effective or efficient. Another method for dealing with the problem, however, was incorporated into the Kennedy-Rodino bill.[100] This bill required all handgun transfers to be channeled through a licensed dealer, who would be required to insure that a would-be gun recipient was legally eligible to receive and possess the weapon, according to prevailing federal and state requirements.[101] The measure was given force by establishing civil liability for dealers who knowingly transfer a handgun to an ineligible person and for private individuals who transfer a handgun illegally, that is, not through a licensed dealer.[102] Such persons could be held liable for any damage the new gun owners caused with the illegally transferred weapon.

While the Kennedy-Rodino approach would leave room for sufficiently motivated sellers to transfer their guns to unqualified recipients, such a measure could deter some transfers by casually motivated sellers without any substantial commitment of law enforcement resources. The effect of these provisions would be to channel at least some fraction of the private, secondhand traffic in guns into more visible and regulatable dealer channels while motivating dealers to screen out ineligible would-be gun recipients.[103] But this measure need not be applied at the federal level, through legislation such as the Kennedy-Rodino bill, and certainly should not be limited to handguns, for reasons made clear earlier in this article.

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[97] J. Wright & P. Rossi, *supra* note 27 (marginals for question 124).

[98] 18 U.S.C. §§ 922(h), 924(a) (1982).

[99] *See* STAFF OF SENATE COMM. ON THE JUDICIARY, 97TH CONG., 2D SESS., REPORT ON FEDERAL REGULATION OF FIREARMS 204-05 (Comm. Print 1982). The survey of state firearm control laws included in this report was done by Kent M. Ronhovde and Gloria P. Sugars.

[100] H.R. 7148, 96th Cong., 1st Sess. (1979). This legislation would, because of the substitution factor, be effective only if made applicable to transfers of *all* types of firearms, not just handguns.

[101] *Id.*

[102] *Id.*

In states which have permit-to-purchase, application-to-purchase, or owner license laws, the liability provision could be used in combination with a provision obligating dealers to examine the required documents before transferring the gun. In this way, there would be a practical means for dealers to know whether a recipient was eligible. A dealer would not be liable for damages if he was shown forged documents or otherwise could not reasonably have been expected to know the recipient was ineligible. Undoubtedly, many private persons would still illegally transfer guns directly to ineligible persons, either because they owned so few assets that they would stand to lose very little if sued, or because they did not think that the gun could be traced back to them if it were subsequently involved in injury or damage. Nevertheless, even partial compliance could reduce the availability of guns to criminals enough to justify the costs of the added caseload in civil courts and the additional inconvenience to dealers and private sellers of guns.

IX
Summary of the Policy Lessons

A careful reading of recent gun control research suggests the following tentative conclusions for public policy:

> (1) Gun control laws should be aimed at restricting gun possession among persons with prior records of violence rather than among the general public. Otherwise, loss of the deterrent effect on crime exerted by widespread civilian gun ownership could outweigh the benefit of a slight reduction in gun possession among the violence-prone.
>
> (2) Gun control restrictions should be applied equally to all types of firearms, not just to handguns or "Saturday Night Specials." An inclusive approach would avoid inadvertently encouraging the substitution of deadlier weapons, a distinct possibility not precluded by marginal differences in concealability between the gun types.
>
> (3) Beyond amending the Gun Control Act of 1968 to make evasion of state gun control laws more difficult, further legislation at the federal level is unnecessary, given the greatly varying need for gun control among the states.
>
> (4) Unless the priority criminal justice system personnel assign to enforcing gun laws changes, any additional enactments must depend primarily on voluntary compliance for their effectiveness. It is doubtful whether additional resources would be made available for

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[103] See Cook & Blose, *supra* note 29, at 89-90, for an excellent discussion.

enforcement of gun laws, unless the revenues were somehow specifically attached to specialized gun law enforcement agencies.

(5) Gun control measures must deal with the fact that criminals obtain their guns primarily through private, quasi-legal transfers from private parties such as friends or acquaintances "on the street," rather than from licensed dealers, black market enterprises, or through theft. Such transfers might be minimized by establishing civil liability for damages resulting from an illegal gun transfer to an ineligible recipient. Transfers of firearms would be channeled through dealers who would be required to examine certain legal documents (driver's license, purchase permit, owner's license) to establish that the recipient was eligible. Persons who transferred guns in any other manner would be liable for damages caused with the gun by any ineligible recipient to whom they transferred the gun.

What sort of gun control measures do these lessons imply? They suggest a moderate measure with many features already enacted in one form or another in many states, although not yet in ~~a single~~ integrated package. What is called for is a law establishing a well-enforced state-level permit-to-purchase or license-to-possess requirement applicable to all types of firearms. The law would forbid possession or acquisition of any firearm by persons with a criminal conviction for a felony or violent misdemeanor in the past seven years or psychiatric institutionalization for a violent act during that period, and by fugitives from justice. A check of whatever criminal and psychiatric records were available would have to be completed before any permit or license could be issued. Persons under the age of eighteen would be forbidden from acquiring firearms or ammunition except from members of their immediate family for use while under adult supervision. Individuals who illegally transferred a gun to a person ineligible for firearms acquisition or possession would be subject to civil liability for damages caused with that gun by the ineligible recipient.

This set of provisions would not prevent law-abiding citizens from obtaining any type of firearm currently available and would add only slight inconvenience to such acquisitions, which are very infrequent transactions for all but a few citizens. The cost of screening applicants for a license or permit would not be great. For example, Cook and Blose[104] report that a record check for prior convictions or psychiatric institutionalization costs only $1.90 in Illinois, where a completely automated system is already in use. In combination with a tightened-up federal Gun Control Act and improved computer criminal record files, these sorts of state screening systems at least hold the potential for producing modest reductions in gun possession among violence-prone persons who are only marginally motivated to acquire guns. It is unlikely that much more than this can be done to reduce violence through gun control laws.

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[104] *Id.* at 89.

Thinking seriously about violence reduction requires going beyond what currently seems politically easy or "realistic." Orthodox crime control programs devised within the framework of traditional political realities have been failures and similar proposals for the future show no prospects of doing any better. Policies aimed at increasing or redistributing police manpower, imposing long prison sentences, increasing the incapacitative impact of the prison system, reducing due process restraints on police and prosecutors, and generally spending more on criminal justice are all acceptable to most political elites, enjoy widespread public support[105]—and are doomed to failure as a means for producing significant reductions in serious crime.[106] The same seems to be true of gun control laws, although the evidence on this issue is not as strong.[107]

To accomplish a significant reduction in violence will require a return to serious consideration of the fundamental social and economic causes of violent behavior, a course which criminologists have repeatedly advocated for decades. This approach has been derided by some as a search for causes which public policy cannot directly affect.[108] Nothing could be further from the truth. For example, research on domestic violence, surely one of those types of crimes assumed to be incapable of control through public policy, shows that it is strongly related to family economic conditions. The best study of this subject used interviews with a representative national sample of households and found that "unemployed men are twice as likely to use severe violence on their wives as are men employed full time, and men employed part time have a rate of wife-beating three times the rate of full-time employed men."[109] Given that unemployment is strongly related to violent behavior and that reducing unemployment is a well-established goal of public policy, it is ridiculous to suggest that we must rely on gun control laws, or indeed any strategies using criminal law or the criminal justice system, to reduce violence. While it may logically make sense to use a variety of methods to deal with the problem, the political realities are such that attention paid and resources devoted to one strategy tend to divert attention and resources away from other, possibly more productive, strategies. More expensive alternatives will never be given serious consideration as long as policymakers and the general public continue to believe in the efficiency of the criminal justice approach.

Nor is it valid to say that gun control and other criminal-justice-system-oriented strategies are the only currently available ways to deal effectively with crime in the short term. Strategies directed at reducing unemployment, poverty, and inequality have every bit as much potential for producing short-term results as criminal justice system strategies. Producing short-term decreases in poverty and unemployment is difficult, not impossible. For instance, recent sophisticated evaluation of the Job Corps, a federal program aimed at the "hard-core" poor, shows that males who completed the program not only were receiving an average of $23.24 more per week during the follow-up period than matched nonparticipants, but also experienced eight fewer arrests per 100 Corpsmembers than the control group.[110] Given the minimal investment in programs of this sort, it is surprising that they achieve any success at all,[111] but they can in fact produce significant results in a short period of time. Therefore, a more promising strategy for reducing violence and crime would be one aimed at reducing the entry of underclass adolescents into criminal careers by:

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[105] U.S. BUREAU OF JUSTICE STATISTICS, *supra* note 20, at 220-78.

[106] See S. WALKER, SENSE AND NONSENSE ABOUT CRIME: A POLICY GUIDE (1985), for a wide-ranging debunking of such strategies.

[107] J. WRIGHT, P. ROSSI & K. DALY, *supra* note 78, at 308, 317.

[108] *E.g.*, J. WILSON, THINKING ABOUT CRIME 42-57 (rev. ed. 1983).

[109] M. STRAUS, R. GELLES & S. STEINMETZ, *supra* note 25, at 150.

(1) the creation of jobs for which adolescent and young adult members of the underclass can be trained, and

(2) training the target group for those jobs.

Massive numbers of jobs can be created through federally funded construction projects aimed at a much-needed rebuilding of our nation's infrastructure, especially its crumbling highways, bridges, railroads, and urban transit systems. The Job Corps provides a model for the training component of the program. Sufficient resources are available for the program, without tax increases, through reallocation of federal tax money from the bloated defense budget.

Job creation aimed at the underclass has not been attempted on even a modest social scale. The few small efforts in this regard have been moderate successes, despite the aura of failure generated by hostile publicity. Acknowledging the drastic limitations of criminal justice crime control alternatives must be the first step toward making crime control through underclass job creation a respectable part of the mainstream political agenda.

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[110] J. THOMPSON, M. SUIRIDOFF & J. MCELROY, EMPLOYMENT AND CRIME: A REVIEW OF THEORIES AND RESEARCH 176-83 (1981).

[111] For example, even in 1972 when it was still funded at a relatively high level, the Job Corps program claimed only $202 million, or 0.09%, of the federal budget. That figure represented only 1.7% of spending on criminal justice at all levels of government. Indeed, the combined budgets of all federal work and training programs, most of them primarily benefiting middle class persons, claimed funds equalling less than one quarter of total criminal justice spending. U.S. BUREAU OF THE CENSUS, STATISTICAL ABSTRACT OF THE UNITED STATES 1976, at 144, 160.

JUN 12 1989

Florida House of Representatives

Harry Jennings
Representative, 69th District

Reply to:
☒ Suite B
2389 Ringling Boulevard
Sarasota, FL 34237
(813) 954-6969
Suncom 552-7054
☐ 402 House Office Building
Tallahassee, FL 32399-1300
(904) 488-7754

Committees
Community Affairs
Emergency Preparedness, Military
& Veterans Affairs
Health & Rehabilitative Services
Science, Industry & Technology

June 9, 1989

Select Committee on Children, Youth and Families
Atten: The Honorable George Miller, Chairman
385 House Office Building, Annex 2
Washington, D. C. 20515

Dear Congressman Miller:

I have been informed that the Select Committee on Children, Youth and Families will be conducting hearings on the subject of Guns and Children.

I am much involved in this subject as a member of the Florida House of Representatives and have attempted to pass legislation making it a felony of the third degree (up to five years in prison and up to $5,000 in fines) when a child dies as a result of a carelessly stored gun. I enclose a copy of CS/HB 29 which passed the Florida House of Representatives by a vote of 84-27 on May 25, 1989. There is also a copy of the slightly modified version which I have filed for the next session of our Legislature which may be a special session later this month.

Unfortunately, my bill died in messages to the Florida Senate (it was assigned to the Senate's Criminal Justice Committee) despite numerous attempts to have it placed on the Special Order agenda. The Senate adjourned on June 2, 1989. There was a CS/SB 68-613 which had passed the Senate's CJ committee which I could have supported but it had not reached the Senate's Special Order calendar.

I cannot over-emphasize the need for GUN SAFETY legislation such as I have proposed. Just within the last 48 hours Florida has lost two more children killed and two more wounded, We must stop the slaughter of innocent children and force gun owners to become responsible for their actions.

I respectfully request that this letter and its enclosures be included in the testimony presented to your committee.

Thank you for your interest and consideration.

With best wishes, I am,

Very truly,

Harry Jennings

HJ:r

Harry Jennings
State Representative
District 69

A bill to be entitled

An act relating to weapons and firearms; adding a new section to chapter 790, F.S.; making it unlawful to place a firearm in a place accessible to a child; providing legislative purpose; providing definitions; providing penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Legislative findings and intent.--

(1) The Legislature finds that a tragically large number of Florida children have been accidentally killed or seriously injured by negligently stored firearms, that placing loaded firearms within the reach or easy access of children encourages such accidents and should be prohibited, and that legislative action is necessary to protect the safety of our children.

(2) It is the intent of the Legislature that adult citizens of the state retain their right to keep firearms for hunting and sporting activities and for defense of self, family, home, and business. Nothing in this act shall be construed to reduce or limit any existing right to purchase and own firearms, or to provide authority to any state or local agency to infringe upon the privacy of any family, home, or business, except by lawful warrant.

Section 2. A new section is added to chapter 790, Florida Statutes, to read:

790. Access to firearm by child; penalty.--

(1) The purpose of this section is to prevent injuries and deaths resulting from children gaining access to unlawfully placed firearms.

(2) The following words and phrases, when used in this section, shall have the following meanings, unless the context otherwise requires:

(a) "Firearm" means any weapon, including a starter gun, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

(b) "Readily accessible for immediate use" means that a firearm is carried on the person or within such close proximity and in such a manner that it can be retrieved and used as easily and as quickly as if carried on the person.

original "c" is being put back in

(d) (c) "Child" means any person under 18 years of age.

(e) (d) "Adult" means any person 18 years of age or older.

(3) It is unlawful for any person to place a firearm, or to permit a firearm to be placed, on premises under his control, when he knew or reasonably should have known that a child was likely to gain access to the firearm in that place.

(4) The provisions of this section shall not apply to a firearm which is readily accessible for immediate use by an adult or to a firearm which is secured from access by a child.

(5) Any person violating this section is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; provided, however, that in the event death, great bodily harm, permanent disability, or permanent disfigurement results from willful and wanton misconduct amounting to culpable negligence on the part of the person committing such violation, then such person shall be guilty of a felony of the third degree, punishable as provided in s.

775.082, s. 775.083, or s. 775.084. Nothing in this section shall be construed to conflict with s. 790.22.

Section 3. This act shall take effect October 1, 1989.

Florida House of Representatives - 1989 HB 29

By Representative Jennings

A bill to be entitled

An act relating to weapons and firearms; adding a new section to chapter 790, F.S.; making it unlawful to place a firearm in a place accessible to a child; providing legislative purpose; providing definitions; providing penalties; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. A new section is added to chapter 790, Florida Statutes, to read:

790. Access to firearm by child; penalty.--

(1) The purpose of this section is to prevent injuries and deaths resulting from children gaining access to unlawfully placed firearms.

(2) The following words and phrases, when used in this section, shall have the following meanings, unless the context otherwise requires:

(a) "Firearm" means any weapon, including a starter gun, which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive.

(b) "Readily accessible for immediate use" means that a firearm is carried on the person or within such close proximity and in such a manner that it can be retrieved and used as easily and as quickly as if carried on the person.

has been put back in

(c) "Securely locked" means placed in a locked box or container, or secured with a trigger lock.

(d) "Child" means any person under 18 years of age.

(e) "Adult" means any person 18 years of age or older.

CODING: Words stricken are deletions; words underlined are additions.

(3) It is unlawful for any person to place a firearm, or to permit a firearm to be placed, on premises under his control, when he knew or reasonably should have known that a child was likely to gain access to the firearm in that place.

(4) The provisions of this section shall not apply to a firearm which is readily accessible for immediate use by an adult or to a firearm which is securely locked.

(5) Any person violating this section is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083; provided, however, that in the event death, great bodily harm, permanent disability, or permanent disfigurement results from willful and wanton misconduct amounting to culpable negligence on the part of the person committing such violation, then such person shall be guilty of a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 2. This act shall take effect October 1, 1989.

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HOUSE SUMMARY

Makes it unlawful to place a firearm in a place accessible to a child. Provides definitions. Provides a misdemeanor penalty. Provides a felony penalty if death or great bodily harm to a child results from culpable negligence.

This publication was produced at an average cost of 1.12 cents per single page in compliance with the Rules and for the information of members of the Legislature and the public.

RESPECTEEN Helping Parents and Teens
Respect Each Other—and Themselves

June 29, 1989

Jane Godley
Select Committee on Children,
Youth and Families
U.S. House of Representatives
Room 385 HOB Annex 2
Washington, D.C. 20515

Dear Ms. Godley:

In line with arrangements discussed with Ann Rosewater and Joan Silverstein, we are submitting the following letters written by seventh and eighth graders for inclusion in the Select Committee hearing report on youth and guns.

These letters were the result of a national education program called "Speak for Yourself" (see enclosure). Under the stated eligibility guidelines, entry in the letter-writing contest was deemed consent for publication of the letters. However, the names and addresses of the youths are listed on their letters if you would like to obtain a formal waiver.

Please call me at (612) 871-8877 if you have questions or comments. We appreciate this opportunity for these kids to speak for themselves.

Sincerely,

Gloria Bergquist

Gloria Bergquist

LUTHERAN BROTHERHOOD
625 Fourth Avenue South
Minneapolis, Minnesota 55415
RespecTeen information: 1-800-888-3820

RESPECTEEN Helping Parents and Teens Respect Each Other—and Themselves

RESPECTEEN NATIONAL YOUTH FORUM

In the Spring of 1989, more than 5,300 seventh and eighth graders from across the country voiced their public policy concerns by participating in a national education curriculum called "Speak for Yourself."

Through this education program, students examined youth issues and presented their viewpoints in letters written to 250 Members of Congress.

The sponsor of RespecTeen is Lutheran Brotherhood, a Minnesota-based fraternal society with nearly one million members nationwide.

One of the most common topics which students wrote about was youth and guns. Some of America's youths speak for themselves in the following letters.

LUTHERAN BROTHERHOOD
625 Fourth Avenue South
Minneapolis, Minnesota 55415
RespecTeen information: 1-800-888-3820

5166 Edgeware Road
San Diego, CA 92116
April 28, 1989

U.S. Representative Bill Lowery
880 Front Street
San Diego, CA 92101

Dear Representative Lowery:

I am a 7th grade student at Bell Jr. High School in San Diego, CA. I would please like you to consider working with other members of Congress to form and pass a bill that would ban all legal sales and importation of semi and fully automatic guns to civilians in the United States. As you know, these weapons kill and kill many people at a time.

I know there was an amendment to the constitution that we have the right to bear arms. It is just that when the fathers of our country wrote it they didn't think of these weapons we have today.

A few months ago a man named Patrick Purdy went into a Stockton elementary school play yard and started spraying bullets at the young children. Five of those children were killed and lots more were injured. He later killed himself, but he shouldn't have had that gun in the first place.

On the other side there are hunters who are very careful and are against a ban. I feel you don't need to have a gun that shoots 30 rounds in a second. Shooting a deer 30 times is slaughter. Also shooting 30 ducks in a second is a slaughter. Besides wouldn't it be more fun to use a shotgun and make it a challenge to get 5 or 6 ducks in a day's work?

A bill on this should include making a 30 day turn-in deadline for the people who own the weapons. They would get all of their money back on the gun and maybe additional money according to their criminal record. Then after the 30 days the law would go into effect making it illegal to sell, import, use or own any semi or fully automatic weapon in the United States.

Yes, not all of the criminals will stop using them but it will at least stop some of them. Besides, the police will have the ability to arrest a criminal who carries a semi-automatic gun that before couldn't be prosecuted because he had a license to carry the gun.

I hope you consider this as something that needs to be researched. If you do research it, bring it before Congress, and pass laws similar to this one there will not only be less shootings and killlings, there will be more people willing to vote for a person who made this country a safer place to live in.

Sincerely,

Jeffrey Schroeder

Jeffrey Schroeder

5349 Opihi Street
Honolulu, Hawaii 96821
May 3, 1989

U.S. Representative Patricia Saiki
Prince Kuhio Federal Building Rm. 4104
Honolulu, Hawaii 96813

Dear Representative Saiki:

In Hawaii and across our nation there has been a drastic rise in violent crimes caused by youth gangs. I hope you will consider an increase in federal funding for educational opportunities, youth programs and parenting to curb the rising phenomenom of youth gangs.

Recently rowdy Jeffrock gang members charged into my Father's Waipahu office. He asked them to leave, and they cussed and called him names. He called the police.

Through research I read that gang expert Jerry Kaono said that local gangs are in the formative stage. They have fashioned themselves after their mainland counterparts. There is evidence of at least 16 different youth gangs in Hawaii. At least 20 Los Angeles gang members have been identified as living in Hawaii.

In 1988, Denver police asked for 1.5 million dollars to crackdown on gangs. Recently in New York City, a youth gang went on a 2 hour crime spree that ended in the beating and rape of a jogger. Sgt. Wesley McBride, gang expert stated that Minneapolis and Seattle will never get rid of the Crip gangs. Also his department has a U.S. map with cities circled in blue where gangs are now dominate forces. No one recognized that these gangs were in the cities until it was too late.

I think that the government should set up parent support groups and help communities develop organized clubs for graphic mural painting, dirt biking, recreational sports, etc. for the elementary school child to keep busy and involved. I am sure that these programs would help parents and offer an alternative for prospective gang members during their vulnerable years.

President Bush's campaign theme was to promote a "gentler and kindlier America". What a better place to start than with our nation's youth? I ask that you investigate this issue so that you will help inact legislation for programs that will provide parenting help and alternatives to youth gang membership.

Aloha,
Kaleo Ede
Kaleo Ede

5201 South Heath Avenue
Salt Lake City, Utah 84118
May 18, 1989

U. S. Representative Howard Nielson
Longworth House Office Building
Washington, D. C. 20515

Dear Representative Neilson:

In January this year I read a magazine article entitled "Killer On The Loose." This was about an armed robbery in Denver by a man who began his crime career in 1983 by kidnapping a boy my age. Phillip Hutchinson had been in and out of jails many times and killed a police officer before he himself was killed.

One of the reasons that I read this article was because just a few months earlier, Anna Holmes, the manager of the bank where I have my savings account, was shot and killed when she was a customer in a store where a robbery was taking place just a few blocks from my house.

My father lived in Washington, D.C., twenty-five years ago and tells many stories about how he enjoyed living there. Now I have read that Washington is the murder capital of the United States.

In January this year at my school, Jefferson Junior High in Salt Lake City, a boy my age was being taken from a classroom to the office by the vice principal. As they passed a school exit, the boy ran outside, followed by the vice principal. Then the boy pulled a gun, turned, and fired a shot at the vice principal. Luckily he missed and noone was hurt. The sheriff apprehended the boy later.

I wondered if you own a gun and how you use it. Also, could you please tell me if you are working on solutions to any of these kinds of problems so that my friends and I can have a safer country to live in.

Sincerely yours,
Christine S. Ellingson
Christine Sandvik Ellingson

April 26, 1989

U.S. Representative Joseph Brennan
House of Representatives
Washington, DC 20515.

Dear Representative Brennan:

I am writing to you because I am concerned about the welfare of my state, my country and other countries around the world. In the daily newspaper, I have been reading more and more about people being killed, raped or shot in unnecessary acts of violence. Whether it is half way across America or right here in Maine, this ongoing violence must stop because it is jeopardizing everyone's future.

Handguns are the most popular weapons used in these acts of violence. It was just recently in Maine that Portland Police Chief Michael J. Chitwood went to the Legislature to try and get stricter laws passed for the distributing, possession and usage of handguns. Not just in Maine, but all around America people are pushing for stricter laws.

In the nation's twenty largest cities last year, homicide rates rose 11%--in Boston alone, 36%. Recently, Boston police confiscated so many guns that the guns had to be destroyed in a fire for fear that the storage room floor would cavein.

What really tells you that the gun laws are too mild is that anyone being either a convicted felon, illegal alien or drug smuggler can walk into a gun shop and write down his name and address, pay for the gun and walk out. Only in some gun shops do people have to show thier license. More often than not, gun carriers do not even need a license for the gun.

I believe Maine should be the state, and the United States be the nation, to set an example and lead all nations in gettings these important laws passed. These laws will, hopefully, stop the increasing and unnecessary violence.

Thank you.

Emily L. Bergson

Emily L. Bergson (Age 14)
185 Pinecrest Rd.
Portland, ME 04102

RICHARD BUTLER SCHOOL

Pearl Place, Butler, New Jersey 07405
TEL. (201) 492-2079

James C. Smith
Principal

John McCoppen
Guidance

Rep. Dean A. Gallo
22 North Sussex Street
Dover, New Jersey
07081

Dear Representative Gallo,

I am an eighth grade student concerned about the issue of gun control. I am strongly against, the use of guns or even the thought of using one. I have looked up some information to support my beliefs.

Most people believe that a gun is bought as the use of protection . Most people who feel that way, don't even consider what happens to the gun after it's bought. It's usually just sits in a drawer waiting to be used, not just for pootection, but other reasons.

First there are suicides. In 1986, 18,153, people shot themselves to death. With the gun in the house it's much more tempting to use the gun than to use another way out.

Next come accidental shootings. Most people buy a gun and never learn to use it properly. Even worse are the children who play with guns and soon find out they ar not toys.

Police commonly estimate that if a household gun is even used at all, it is six times as likeley to be fired at a member of the family or a friend than at an intruder. Dr. Carl Bell, a Chicago psychiatrest, says, it is even more likely that the gun will be stolen . Guns are prime targets for burglars because they can easily and profitably be sold to other criminals.

Putting all the types of death together, researchers from the Atlanta-based centers for disease control, point out that during 1984 and 1985, the number of people who died by gun shots in the U.S. was 62,897. This was a greater number than the entire 8½ year Viet Nam conflict.

After considering all the facts, could you please support gun control. Not just because of the facts, but because of all those helpless people who have died from gunshots.

Sincerely,

Sue McClean

3780 Celina Road
St. Marys, Ohio 45885
April 11, 1989

U.S. Representative Mike Oxley
1108 Longworth House Office Building
Washington, D.C. 20515

Dear Representative Oxley:

I am writing because I am concerned with the low morals of teens. Particularly the increase of crime among juveniles.

The crime rate among juveniles has increased greatly in the 1980's, something should be done to stop this.

Several weeks ago, our local high school received a bomb threat from a ninth grade student. The purpose was to have school cancelled for a day. I feel a harsh penalty could prevent this from happening again.

25% of all arrests in the United States are of minors. One of the crimes committed by juveniles is breaking curfew. "Kids think this is fun because you aren't supposed to do it," says a teen.

Persons under eighteen are charged with 40% of all serious crimes. 65% of all teens arrested for serious crimes are between 15-17. Of these 80% are males.

Juvenile crime is more common in areas with few recreational activities. Perhaps offering weekend and after school activities would decrease the crime rate. Perhaps this could also help with other problems such as drugs and runaways. Also, more severe punishment could discourage other teens from doing the same crimes.

I will appreciate any help you can give to this problem. Please work with other representatives to stop this problem. I hope my letter was of help to you.

Sincerely,

Bill Balderaz

Bill Balderaz

ANALYSIS OF RESPECTEEN^{SM} SPEAK FOR YOURSELF LETTERS

Substance abuse, sexual choices and the environment were the national issues most often cited as priorities by 5,300 students writing to their Members of Congress through the RespecTeen Speak For Yourself education program. Following is an analysis of the students' views on these issues, along with a complete list of the issues covered in the letters with percentages of students writing about each issue.

Drugs & Substance Abuse

"When my parents went to school, the biggest problem was chewing gum and running in the halls. Now the problem is drugs and alcohol."

This comment typifies the response of 25 percent of the letters received in the contest. Substance abuse represents the single largest subject of attention among all of the issues identified.

Teens see funding for drug education as the most important role for Congress. They believe drug education needs to start at an early age to prepare children for decisions to come in their teenage years.

Most of the students equated drug abuse with crime and violence. The majority of the letters called for harsh punishment for dealers, and even for users.

"The only way this war on drugs can be won is if new, stricter and less-forgiving laws are established and enforced," one student wrote. Some students suggested capital punishment for dealers, while others suggested that huge fines and lengthy jail terms are necessities.

Sexual Choices

Teen pregnancy, and the accompanying issues of sexual choice, sex education and abortion were cited as major issues facing young people by 17 percent of participating students.

Again, most students favored more education in the schools. And, again, they felt that information should be available at a much earlier age. Many were aware that the U.S. has the highest teen pregnancy rate of all Western industrialized nations and that sex education information begins earlier in those other societies.

One girl wrote of having interviewed 100 girls in her class (14-15 year olds) and finding "over half of them did not know what a contraceptive was, and several did not know what alternatives were available besides abortion." She said, "Most pregnant teenagers don't learn any of this until it's too late."

(more)

Other students focused on the need for a teenage mother to continue her education after the child arrives. Solutions included special schools for pregnant teens, and child care in the schools themselves. Many quoted statistics about the bleak future for babies of young mothers who drop out of school.

One student recommended that elderly volunteers staff special child care facilities. According to the writer, this plan would enable the elderly to "take a role in the life of a child, and (have) somewhere to go and something worthwhile and productive to do. The children are gaining the love and wisdom of those older than themselves. The parent profits by having the opportunity to get a good education."

Environment

One student quoted the saying, "We have not inherited the earth from our fathers, we are borrowing it from our children." This concern was a common theme in many letters about a variety of threats to the environment.

Letters on the environment and natural resources represented ten percent of all the letters received. Uniformly, the letter writers called for better control on sources of pollution and better education on how it can be reduced.

Students expressed a broad and well-informed view of environmental issues and implications. They discussed depletion of the ozone layer and the greenhouse effect; deforestation; the Alaskan oil spill; preservation of endangered species; increased protection for public parks; conservation of natural resources; and the need for rapid development of alternative energy sources.

Many students wrote about air pollution and acid rain, water pollution, solid waste, toxic wastes and nuclear wastes. Still others talked about the contribution of agricultural chemicals in the overall pollution problem.

Issues Detail

Other issues addressed in the teenagers' letters are listed below with the total percentage of letters that were written on subjects within that area.

Substance Abuse	25 percent
Sexual Choices	17 percent
Environment and natural resources	10 percent
Crime	7 percent
Education	5 percent
Abuse	5 percent

(more)

Suicide	4 percent
Health care (including AIDS)	3 percent
Foreign policy	2 percent
Jobs	2 percent
Individual economic security	1 percent
Infrastructure	1 percent
Other	16 percent

Other issue areas which received a substantial number of letters include:

- Homeless
- Satanism
- Smoking ban
- Drunk driving
- College funding
- Teen recreation opportunities
- Social Security and Medicare
- Legal driving age
- Sexism
- Animal cruelty
- Eating disorders
- Rock music
- Runaways
- Divorce and family
- Too much TV
- Kid's rights
- Helmet laws
- Skateboard laws
- Elderly
- Welfare

The Lighter Side

While many of the letters were well-informed and serious, a few covered topics a bit less weighty.

The routine of school lunch menus was more than one student could bear. "If it is not possible to improve the horrid food, please, I urge you to at least give us variety. Because sir, who eats pizza with green beans? Well we do --- and every week!"

One student recommended posting signs on windows and doors that say "Thank you for not talking dirty" in a campaign to stamp out dirty talk. She even suggests restaurants establish dirty talking sections for their patrons "too weak" to break the habit.

Many letter writers recognized the difficulty of solving national problems. While one had concerns about many issues, she took this opportunity to speak to her representative on another matter. "I figured you get a lot of letters every day saying that they want this law or that law passed. And I thought that was unfair to you. Trying to help us might cause you a problem and no one realizes that. I care a lot about what is happening around me but I also care about people's feelings and I didn't want to forget yours. Thanks for helping us."

Her postscript continues "Dad said that normally I would get a return letter, but you don't have to send me one because it will take time out of your answering your other letters. P.S.S. Dad did say hello."

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June 28, 1989

Katherine K. Christoffel, M.D., M.P.H.
Division of General and Emergency Pediatrics
Children's Memorial Hospital
2300 Children's Plaza
Chicago, IL 60614

Dear Dr. Christoffel:

I want to express my personal appreciation to you for appearing before the Select Committee on Children, Youth, and Families at our hearing, "Children and Guns," held here in Washington on June 15. Your testimony was, indeed, important to our work.

The Committee is now in the process of preparing the transcript for printing. It would be helpful if you would go over the enclosed copy of your remarks to assure that they are accurate, and return the transcript to us within by July 10 with any necessary corrections.

In addition, Representative Peter Smith has requested that each witness forward any legislative recommendations they may have. So that your recommendations may be included in the printed record, please return them with the transcript.

Let me again express my thanks, and that of the other members of the Committee. Your participation contributed greatly toward making the hearing a success.

Sincerely,

GEORGE MILLER
Chairman
Select Committee on Children,
Youth, and Families

GM/j

Enclosures

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June 28, 1989

Thomas Scalea, M.D., Director
Trauma and Critical Surgical Care
Kings County Hospital
Box 40, 450 Clarkson Avenue
Brooklyn, NY 11203

Dear Dr. Scalea:

I want to express my personal appreciation to you for appearing before the Select Committee on Children, Youth, and Families at our hearing, "Children and Guns," held here in Washington on June 15. Your testimony was, indeed, important to our work.

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Sincerely,

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